Bombay Gazette.

Volume 34. Wednesday, October 1, 1823. No. 1739.

Proclamation.

Bombay to wit. BY Virtue of a Precept to me directed, I hereby proclaim and give Notice, that a Sessions of Oyer and Terminer, and General Gaol Delivery, will be holden before the Honorable the Court of the Recorder of Bombay, at the Court House in the Town Hall, in Bombay, on Saturday the eleventh day of October next, at Eleven o'Clock in the forenoon, for the Trial of all Treasons, Murders, Felonies, and other Crimes and Misdemeanors, had, done, or committed within the Town and Island of Bombay, and the limits thereof, and the Places and Factories subordinate thereto, and dependent thereon; and also to enquire, hear and determine, in like manner, all Treasons, Murders, Felonies, Forgeries, Perjuries, Crimes, Extortions, Misdemeanors, Trespasses, Wrongs and Oppressions had, done, and committed, by any of his Majesty's British subjects, in any of the Territories which now are subject to, or dependent upon the said Government of Bombay, or within any of the Dominions of the Native Princes of India in alliance with the said Government.

And also that, at the same time and place will be holden, a Sessions of Admiralty for the Trial of all Treasons, Murders, Piracies, Robberies, Trespasses, Misdemeanors, and other crimes and offences, had, done, perpetrated or committed on the High-Seas.

And, I hereby require and enjoin all persons bound to prosecute and give evidence at the above Sessions, or in any way concerned therein, to attend at the time, and place above mentioned, and not to depart without leave of the Court. Dated this 16th day of September in the Fourth year of the Reign of His Majesty King George IV.

D. SETON,
SHERIFF.

Advertisement.

Notice is Hereby Given,

THAT a GENERAL QUARTER SESSIONS of the PEACE, will be held at my Office this day at 12 o'clock noon.

B. NOTON,
Clerk of the Peace.

BOMBAY
No. 17 Medows Street.
1st. October 1823.

Advertisement.

NOTICE is Hereby Given, that all those Suitors, either Plantiffs or Defendants in the Court for small Causes of the Hon'ble the Court of the Recorder of Bombay, who may be desirous of proceeding with such Actions, as were pending whilst the Office of the Clerk of the said Court was held and exercised by Mr. ERSKINE, are forthwith to attend, and proceed at the Office of WILLIAM FENWICK Esquire the present Clerk of the said Court, either by themselves or their authorized Agents, and in default thereof, application will be made to the said WILLIAM FENWICK to enter up Judgements on the said actions either of non-pros or for the Defendant as the Cases may require, and the costs thereof will be recovered from such party or parties as may appear to have been guilty of wilful neglect in respect of the premises.

W. A. MORGAN,
Attorney to Wm. Erskine.

Bombay, 16th September 1823.

જાહેર ખબર

ખબર ઈ આંથી આપીએ ચ
જે શ્રી મુમબઇની નામદાર રી
ઝારડરની નાંખેલા ઝજીઆની
ફોરટમો જંઇશ્રયી ફે મીશતર
અરશકીન ઈ ફોરટનો મેઇનો ઇ
તો તાંઇશ્રયી શરવે ફોજ પરી
આદીનાં ઝરનાર તથા જવાબ
નાં દેનારનાં પોતાંનાં ઝજીઆર
ીરઈઆ હોઈ તે લોકો ઇવે પ
છે મીશતર ઉલીઅમ પેનવીક
જે ઇમણે તે ફોરટનો મેઇનોછે
તેણી આગલ હાજર થઈ *ન
ઝા ઝજીઓ ચલાવે * તે ચલાવના
રા પોતે અથવા પોતાંનાં અખતી
આર આપેલા વકીલથી આવીને
ચલાવે * અને ઇવેપછે ફોજ ભુલ
શેનો મીશતર ઉલીઅમ પેનવીક
ને અરજ ઝરશે જે પરીઆદીનો
ઝરનાર અથવા જવાબનાંદેનાર
ની તરફથી જરજમેનટ ઝરે * ઈ
લેજે ચુકાદો તેણી પેવરમોફર *
તે જેવી ખાખત નજર આવશે
તે પરમાંણે પરીઆદીનાં ઝરના
ર તથા જવાબનાં દેનાર ઉપર
નીશચે ચુકાવો ઠરાવશે * અને
ઉપર ઝણીઉં તે પરમાંણે હાજર
નહી થાશેતો તે ધણી અથવા ય
ણીઓને માંથે ખરચ પડશે *

ડબલીઉ ઈ મારશીન * ઉ
લીઅમ અરશકીનનો વકીલ

શ્રી મુમબઇની તા૦ ૧૬
મી શપટંમબર ૧૮૨૩

Advertisement.

APPLICATION having been made to the Honorable the Court of the Recorder of Bombay that Letters of Administration of the Estate and Effects of

J. FREDERICK SOILLEUX late a Captain in the Honorable Company's Service on their Bombay Military Establishment deceased, may be granted to RICHARD WOODHOUSE Esquire Registrar of the said Court for the time being; All persons conserned therein are hereby apprized thereof, dated this 23d day of September 1823. (2)

Advertisement.

APPLICATION having been made to the Honorable the Court of the Recorder of Bombay, that Letters of Administration of the Estate and Effects of OLIVER HANSON late of Bombay, Esquire a Civil servant of the East India Company on their Bombay Establishment deceased may be granted to RICHARD WOODHOUSE Esquire Registrar of the said Court for the time being; All persons Concerned therein are hereby apprized thereof dated this 23d day of September 1823. (2)

Advertisement.

APPLICATION having been made to the Honorable the Court of the Recorder of Bombay that Letters of Administration of the Estate and Effects of THOMAS DAVID HUGHES late a Lieutenant of the first Battalion ninth Regiment Native Infantry in the Honorable Company's Service on their Bombay Establishment deceased may be granted to RICHARD WOODHOUSE Esquire Registrar of the said Court for the time being; All persons Concerned therein are hereby apprized thereof dated this 23d September 1823. (2)

Cursetjee Burjorjee.

BEGS leave to inform the Public that he has purchased an Invoice of STATIONARY imported per Ship Layton Captain David Miller, and has exposed it for sale at his Shop in Hummum Street next door to Bhicajee Merjee and Co. Consisting of Imperial, Royal, Madium, Demy, Foolscap, Letter, and Chit Paper of Fresh and Superior Quality; a few whole and half bound Blank Books of different Sizes, from 2 to 5 quire's each; Quills, Wafers, Penknives, Black and Red Ink in Paper and Bottle, Inkstands &c. &c. &c.

He has also opened for Sale a few Ladies Richly Ornamented Steel Waist Buckles and Clasps, and also a few Silver Watches of Sorts by Morice and Morrison.

Bombay, 26th September 1823.

For Sale
ON COMMISSION.
AT
Lugrin Son and Co's.
WAREHOUSE.
JUST IMPORTED
Per the
Lord Castlereagh

A FEW Sets of Carriage and Buggy Trimmings of the best quality and elegant modern Patterns.

Bombay, 27 th September 1823.

Burjorjee Framjee and Limjee Dadabhoy.

RESPECTFULLY give notice that an Assortment of Queen's Ware, from Spode and Copeland, will be laid out in their Shop and sold by Public Auction on Tuesday the 7th Instant, instead of Saturday the 4th the latter being a Parsee Holiday.

The Sale to commence at 11 A. M.

Henshaw's Building 1st Oct. 1823.

John Fernandes,
HAS FOR SALE
A few New and Second hand
DOUBLE AND SINGLE
Barrell Fowling Pieces
AND
PISTOLS
On Moderate terms.
ALSO
A few Rifles.

Ghunbow Street, 1st Oct. 1823.

For Sale
IN
Messrs. Princep & Co's.
Godowns
A CONSIGNMENT OF
Superior Wines
FROM
HARPER AND BELL.
ARRIVED PER
Royal George.

OLD Sherry in Butts, at 800 Rs. per Butt.

Ditto in Bottle at 20 Rs. per Dozen (not less than 3 dozen.)

Superior Do. such as was sold last year at 960 Sa. Rs. in Calcutta, 860 Rs. per do.

Ditto in Bottle (not less than 3 dozen) at 22 Rs. per dozen.

Port in 3 and 6 doz. Chests at 20 Rs. per doz.

Ditto (Pints) in 6 and 12 doz. Chests at 12 Rs. per do.

Claret in 6 doz. Chests at 40 Rs. per do.

Bombay, 26th July 1823.

Kempt and Co.
WILL CONTINUE
THE
SALE BY PUBLIC AUCTION
OF THE
Late Firm Of
Messrs. Lugrin & Watson's,
Shop Goods.
This Day and Tomorrow,
TERMS OF SALE CASH.
Bombay, October 1st 1823.

Kempt and Co.
WILL CONTINUE THE SALE
BY PUBLIC AUCTION,
Of the L. Market
Madeira Wine
From KEIR and CO.
On Tuesday the 7th Instant,
At No. 9. GODOWN'
DADY'S BUILDINGS.
Bombay, 1st October 1823.

Kempt and Co.
WILL SELL
BY PUBLIC AUCTION,
On Wednesday the 15th of Oct.
AN EXTENSIVE INVOICE
OF
JEWELLERY
RECENTLY IMPORTED
ON THE
Ship Asia
Captain Pope,
The principal Articles are as follows:

AN Elegant Garnet and Pearl Suite in a Morocco case.

Ditto, Topaz Pearl and Torquoise do. in do.

Ditto, Waist Clasp, Aqua Marine, Pearl, Topaz, Torquoise and Diamond.

A Filagree (Elastic) Gold Necklace and Bracelets with Pearl Snaps.

Digitized with financial assistance from the
Government of Maharashtra
on 28 June, 2017

A ditto do. do. with Cross and Earings set with Torquoise.

And a great variety of Earrings, Filagree plain gold, set with Torquoise Emerald and Rubies, Broaches, plain and with Pearl, Filagree gold Pins &c. &c.

Catalogues may be had on application.

Orders from outstations with a remittance will be promptly attended to.

N. B. The Jewellery will be exposed to view one week previous to the sale.

Bombay, 13th September 1823.

INSTRUCTION
UPON THE
Piano Forte.

MR. JOHN DE QUADROS from Calcutta, has the honour to acquint the Ladies and Gentlemen of the Presidency that he will give lessons upon that delightful Instrument in the first style of excellence to all who may honour him with their commands. Mr. Quadros Resides at Mazagone near the garden of the late Sir M. DE LIMA E SOUZA, any application so addressed, will be gratefully and promptly attended to.

Bombay the 1st Oct. 1823.

For London Direct
THE FINE SHIP

Layton,
CAPTAIN
DAVID MILLER,
BURTHEN 488 TONS.

WILL sail on or about the 25th October, her entire Cargo being engaged. For the terms of passage apply to PRINSEP and Co. or to the Commander on board.

Bombay, 27 September. 1823.

GENERAL ORDERS.

BOMBAY CASTLE, 17th September 1823.

By the Hon'ble the Governor in Council.

The Hon'ble the Governor in Council is pleased to cancel that Clause of the General Orders of the 18th June 1801, which restricts the issue of Batta to Native Troops "to such movements as imply a march of more than three days" and directs that they be hereafter considered as entitled to marching Batta in all situations in which their European Commissioned Officers would be entitled to the same.

2nd—The Batta to European Commissioned & Native Commissioned and non Commissioned Officers and Privates &c. &c. heretofore allowed for three days after arrival at Garrison stations, is discontinued, except on return from *Field Service*; in all other instances they are to be considered as entitled to Batta to the date of arrival inclusive, but not for any period subsequent thereto.

3rd—Officers proceeding singly from station to station may be expected to move much more expeditiously than with Corps or Detachments, and will be allowed marching batta according to the actual distance at the rate of one day's batta for every 10 miles, together with the difference between the Garrison and Field Tent allowance for the same number of days, without reference to the period of arrival at their place of destination. Officers drawing full batta for Commanding Corps are not, however, to draw travelling batta in addition thereto, although they may come under the description of Officers entitled to that allowance when proceeding to join.

4th.—Adverting to the General Order of 5th ultimo by which certain Regimental Staff Officers are permitted to draw Office Tentage when proceeding from one Garrison station to another, the Hon'ble the Governor in Council is pleased to intimate that this Allowance can only be admitted to the date of Arrival inclusive, and not for any period subsequent thereto, and that the foregoing rule is considered as equally applicable to every description of Office Tentage, even on the return of Troops or Departments from actual Field Service.

5th.—The existing rules regarding the discharge of Extra followers attached to Corps on their March from Station to Station, as well as on their return from Field Service, not appearing to be in all instances sufficiently understood, the Hon'ble the Governor in Council is pleased to intimate that no charge on these Accounts can be admitted beyond the actual date of arrival at Garrison Stations, when the followers in question shall be regularly mustered and discharged.

The Hon'ble the Governor in Council is also pleased to direct that Batta & all other extra Charges incurred on account of Troops employed on Political, Revnue, Commercial, or Judicial duties, be hereafter defrayed by the respective Departments, and to publish the following regulations for general information and guidance viz.

No charges for Batta or other extra expences which may be incurred on account of Escorts attending Political Residents or Agents beyond the fixed Remental pay and Garrison allowances of the troops employed on such duties, shall be hereafter paid by or entered in the Disbursements of Paymasters; expences of this kind not being considered as Military charges.

Abstracts for expences incurred on account of Collection of the Revenue (batta and other extra charges) are in future to be discharged by, and appear in the Accounts of Collectors.

Military Officers are, therefore, to present separate Abstracts for such payments to Collectors respectively on whose requisition Troops have been furnished, instead of, as heretofore, drawing the amount from Military Paymasters.

Expences incurred in consequence of requisitions from Commercial Residents are to be discharged by, and appear in the accounts of Commercial Residents, on the same principle as those incurred on acccount of Collection of the Revenue.

Batta and other extra Charges incurred by the employment of Troops upon the requisition of a public magistrate shall be defrayed in the Judicial Department, and their amount shall be included in the monthly indents of the magistrate at whose requisition the Troops are employed.

Such extra charges shall be drawn in separate abstracts under the Signature of Military Officers

Military Paymasters shall furnish Residents and Political Agents, Collectors of the Revenue, Commercial Agents or Residents and Magistrates, with tables of the established rates of Batta or other allowances issuable on account of the several ranks of the army.

Batta for Troops employed in escorting Treasure to be issued by pay Masters as heretofore, and to be charged to the Military Department unless the requisition for the Troops shall specify that the escort is required for money intented for the use of the Judicial, Revenue, Political or Commercial Department.

All requisitions for troops from Political or Commercial Residents or Agents, Collectors and Magistrates, are to specify the particular service for which they are required, and authenticated copies of them are to accompany the abstract for batta or other extra charges.

Bombay Castle, 18th Sept. 1823.

The furlough to Europe granted to Ensign Edmund Neville of the 1st or Grenadier Regiment on the 1it of February last, is cancelled, and that officer is allowed leave of absence to the Cape of Good Hope on sick certificate until the 2d of Nov. next.

Captain Stokoe of the Invalid Battalion is appointed to command the Garrison of Taunah, vice Major Butter deceased.

Bombay Castle, 18th September 1823.

Brevet Captain and Lieutenant M. F. Colis and Lieutenant John Saunders of the 18th Regiment of Native Infantry, having produced the prescribed certifieates, are allowed furloughs to Europe for the recovery of their health for a period of three years from the date of their embarkation.

The Hon'ble the Governor in Council is pleased to permit Surgeon B. Gerand to proceed to Europe on sick certificate for a period of three years from he date of his embarkaion.

Bombay Castle, 19th September 1823.

In Order to keep each Battalion of Native Infantry at all times complete according to the present regulated strength of eight hundred effective disciplined Sepoys, the Hon'ble the Governor in Council authorize, Commanding Officers to recruit to the extent of sixty additional men in each Battalion, and to account for them on the returns as authorized supernumeraries for filling up vacancies; and all Commanding Officers are prohibited from entertaining a single man beyond the number thus sanctioned.

Bombay Castle, 19th September 1823.

The Hon'ble the Governor in Council is pleased to appoint Lieut. William Hill Waterfield of the 7th Rigiment Native Infantry to be Fort Adjutant at Tannah.

Bombay Castle, 20th September 1823.

The Hon'ble the Governor in Council is pleased to make the following promotions.

1ST REGT. LIGHT CAVALRY,

Lieut & Brevet Captain William Wilkins to be Captain of a Troop, and Coruet C, J, Conyngham to be Lieut, in succession to Soillieux deceased, date of rank 3d August 1823,

Bombay Castle, 22nd September 1823,

The Hon'ble the Governor in Councils is pleased to appoint Captain Evan Jervis of the 3d Regt, of Light Cavalry to succeed Capatin Soillieux in the duty of purchasing horses in the Persian Gulf for the Public service,

Tables for Sadlers and Tailors with His Majesty's Regiment of Dragoons, not being authorized articles of barrack furniture, and the whole expense of making up saddles and ctothing falling to be defrayed by the Colonel of the Regt, the Hon'ble the Covernor sn Council is pleased to direct that those articles be not in future issued,

Bombay Castle, 23d Sept. 1823,

The General Order of 31st July, last, granting half a months pay to the Dooly bearers and sick Carts discharged from the force at Decca, and is cancelled, in consideration of the favorable report made by Lieutenant Colonel Wilson, of the Dooly bearers, and the peculiar circumstances of their case, the Hon'ble the Governor in Council is pleased to sanction a deviation from the established regulation, and to confirm the divison order by Lieutenant Colonel Wilson granting the said Dooley bearer &c, a donation of one months pay.

By Order of the Hon'ble the Governor in Council,

W. NEWNHAM,
Chief Secretary,

Head Quarters: Bombay Saturday 27th Sept 1823.

By the Commander in Chief.

1. Ensigns Forbes 2d Batt. 7th Regt. and Arnaud 1st Batt. 11th Regt. N. I. will attend the Committee of which Major Kennedy is President, on Monday morning next at 11 o'clock, for examination as to their proficiency in the Hindoostance Language.

Head Quarters : Bombay Saturday 20th Sept.

By the Commander in Chief

1st At a General Court Martial assembled at Sholapoor on the 5th day of June and reassembled on the 30th day of July 1823, and of which Lieutenant Colonel J. P. Dunbar of the 3d Regt. of Light Cavalry is President. Lieut. Thomas Say of the 2d Batt. 5th Regt. N. I. was arraigned on the following Charge.

Charge.—Lieutenant Thomas Say of the 2d Batt. 5th Regt. N. I. placed in Arrest by order of His Excellency the Commander in Chief on the following Charge viz.

For highly irregular and unofficerlike conduct subversive of all Military Discipline, in having addressed to His Excellency the Commander in Chief a letter dated the 30th April 1822 (by mistake for 1823) containing the most gross, injurious, and unfounded aspersions on the Character of his former Commanding Officer, Lieutenant Colonel W. Gilbert Commanding 1st Batt. 5th Regt. N. I. and particularly in the following passages

1st. " I feel myself imperiously called upon " to state that the influence which Ball Kisson " Sing, Subadar, and Native Adjutant pos- " sessed over the mind of Lieutenant Colonel " Gilbert was of the most dangerous tendency " to the Character, Discipline, and Happiness " of the Battalion, and in its consequences (ad " that Native Officer lived) might have led to " resuts which are alarming to contemplate."

2d. " The Evidence of Native Doctor Jee- " want could not then be retaken, as he had " put a period to his existence, and as report " stated he had done so in consequence of the " illtreament he received from Ball Kisson Sing " Subadar Major, and his Son Rutton Sing. " I immediately communicated the report in " circulation to Lieut. Colonel Gilbert, who " contrary to the General Orders of the 4th of " February 1822,—did not even order a Court " of Inquiry to investigate the circumstances of " the Suicide.

3rd. " By a longer continuance with the 1st " Batt. I could not be insensible of the state " of unmerited degradation, in which the mea- " sures of Lieut. Col. Gilbert were fast involv- " ving me, to be insulted without the means of " obtaining redress, and thereby giving encou- " ragement to additional insult, to have my " feelings continually wounded, to find the " Officers of the Battalion excluded from all " legitimate share of confidence, to find that that " confidence was placed in improper quarters " to find no Standard of Justice, or of Merit " as a guide for the advancement of the Men, " to find nothing but irregularity and dis- " content in the Battalion were motives which " principally operated to induce me to remove " and resign the desirable Appointment of " Quarter Master, rather than remain under the " Command of Lieut. Colonel Gilbert, at the " sacrifice of character, feelings and principle.

Bombay Adjutant Generals Office 11th July 1823,

By Order of His Excellency the Commander in Chief

(Signed) D. LEIGHTON, Adjt, Genl, of the Army

Upon which Charge the Court came to the following decision.

Finding and Sentence—The Court having maturely & deliberately weighed and considered the whole of the Evidence brought forward on the Prosecution, as well as what the Prisoner has stated in his Defence, & the Evidence adduced thereon are of opinion that the Prisoner Lieutenant Thomas Say 2d Batt, 5th Regt. Bombay N. I. is Guilty of the whole and every part of the Charge exhibited against him which being in breach of the Article of War in such cases made and provided, do therefore Sentence him the said Lieutenant Thomas Say 2d Batt. 5th Regt. Bombay N. I. to be dismissed the service.

September 9th 1823.

(Signed) Thomas Backhouse Capt. 47th Regt.
(Signed) J P. Dunbar, Lieut. Col. and President.
Officiating Judge Advocate

Approved and Confirmed

(Signed) CHARLES COLVILLE. Lieut. Genl
By the Commander in Chief

2. The Officer in Command of the 1st Batt. 5th Regt. N. I. will report the Day on which the above Sentence is made known to the Prisoner, as from the one following it, he is to cease to receive Pay in the Hon'ble the East India Company's Service.

3. To the above unpleasing Duty the Commander in Chief feels himself compelled to add that of publishing the following concluding observations of the Court Martial which tried Lieutenant Say, relative to the Conduct of Lieut. Shaw of the 1st Batt. 5th Regt. N. I. now under Suspension for six Months by the Sentence of the same Court—"The Court con- " ceives it part of its duty previous to finally " closing its Proceedings to animadvert on the " Evidence given by Lieut. Shaw on the pre- " sent trial, as marked by a decided un willing- " ness to dispose to any points that could be " favourable to the Prosecution."

4. The General Court Martial of which Lieut Colonel Dunbar is President is dissolved.

To the Editor of the Bombay Gazette.

SIR,

If the following Anecdote of an event which actually occured in Bombay some years ago will admit of publication, its insertion in your valuable columns might perhaps amuse many of your readers.

A certain respectable native assistant to one of the Medical Dispensaries was one evening himself taken into the hospital apparently having encountered some serious disaster.—On being questioned by the Doctor "well Antone—what's the matter?"—the Superannuated Gentleman gave the following Explanation of the circumstance." Why saar-you must know saar—that as I was coming into the Hospital one large *Tongah gave me one demny upon my dongun.**—

Doctor.—What do you mean by *Tongah* Antone?

Antone.—*A Tongah* Saar, you not know—*Tongah* is—is—is—is a *cow's husband.*

Doctor.—Cow's husband! what you mean a Bull?

Antone.—Yes saar—the same—a *Bull* it is a *Bull* a large *Bull.*—

Should you approve of the above, I hope to supply you with more such Anecdotes in future—and to remain.

Your Constant Reader,
JUGGERNATH.

Masagone, 30th September 1823.

* "Translation" gave me a thrust with his horns on my waist.

We beg to assure our Correspondent Juggernath that we shall have much pleasure in receiving his further Anecdotes of this sort.

ED.

To the Editor of the Gazette.

SIR,

My friend "Vandal" has in his last to the "Courier" proposed, that houses be established for receiving the contributions from the Outstations, to the papers of the presidency. If this proposal is not new, it has never perhaps met with full consideration. Instead however of entering at large into the merits of a subject, which to be fairly tried must be viewed with our indianized feelings, because it could never seriously be proposed to an Editor in England, it will be better to enter at once into a brief detail of what appears to be both a feasible and acceptable plan for putting it to the test of experiment.

Five or six houses might be established—one at Poonah for the Deckan—another at Surat, for Baroda, Broach and itself—a third at Kaira for Deesa, Katiyawar, Ahmadebad and itself—a fourth fifth and sixth at the most convenient Stations for Candeish, Cutch and the Southern Concan—the most respectable Parsee merchant in each of these places might be authorised to receive all letters that are sent post paid to him, and be requested to forward the Bag by land or water quarterly to the presidency.

By this arrangement, which is perfectly consistent with the liberal spirit of our post office regulations, the expense to contributors would be greatly diminished, and rendered to proprietors comparatively moderate—careless composition & illegibility of hand writing would cease—and the value and originality of the communications would by encreasing the list of subscribers to the paper afford the Editor some remuneration for his additional trouble. Priority of date might generally give a claim to priority of insertion—unless similarity or continuation of subject interfered; and every thing of a doubtful character or personal nature might easily be suppressed by the Editor observing in his remarks to correspondents that ——— letter refers to a subject of so old a date that its publication is now useless, Such of the communications as are considered by their authors to be either too important in their nature, or too fleeting in their interest to admit of delay, must of course be continued to be forwarded at once as at present. These however would be few—and the papers of Bombay, which have long been desirous of being ranked as literary Journals, are now at last probably destined to attain a consummation so devoutly to be wished, by the establishment of receiving houses for the communications of the Outstations.

Your obedient servant,
GOTH.

15th Sept. 1823.

NOTICES TO CORRESPONDENTS.

Before we can publish Aulœcensor's letter we must beg to trouble him for the title of the Book or Manuscript and likewise, if he can oblige us with it, the name

of the author, whom he quotes and, at the same time, to send his real name.

THE GAZETTE

BOMBAY.

WEDNESDAY, 1ST OCTOBER 1823.

With the exception of a letter which we subjoin, containing an account of the Greek, we have no arrivals of Ship or news from Europe to mention since the publication of our last. The Extracts we have made from the English Journals are almost too numerous to particularize. A Copy of the Warrant appointing Trustees for the destribution of the Deccan Booty will no doubt be read with considerable interest by a very large class of our readers.

We have made an abstract of the Debate in the House of Commons from the Chronicle on Lord Althorp's motion for a Repeal of the Foreign Enlistment Bill. Most of the Speakers in the Debate having taken occasion to mix up the question of the Policy of our interference with Spain, we have been induced to separate all that we did not conceive to bear on the point at issue, as we shall shortly have occasion to publish the Debates at length on the subject of "Foreign Policy. Mr. Canning's Speech is, we think well worth attention.

Those of our readers who may take any interest in the East India Sugar question will find a Paragraph from a Manchester Paper which puts the matter in a very clear point of view.

The proceedings of a Meeting of Merchants Bankers in London we would recommend to the notice of our mercantile readers.

Our readers will perceive by the Law proceedings which we published to day that the Rule obtained by the Solicitor General for Filing a criminal information against Mr. O'Meara for his alledged libel on Sir Hudson Lowe in the Voice from St. Helena, has been discharged. On an application of Mr. Phillips that his Client shold be discharged also from the payment of Costs, the Court decided that Mr. O'Meara must pay his own Costs, unless the merit of the case were argued before it and then the Court would be proposed to adjudge the Costs. as to the matter, and not as to the time of the publication. Mr. O'Meara stated through his Counsel that he wished the Court to be in possession of the circumstances of his case.

He has addressed another letter to the Chronicle, which we publish, in which he assures the public that, his letters in answer to the attack of the Quarterly Review are preparing to be published in a Pamphlet.

We have much pleasure in publishing the following extract from a letter, for which we are indebted to the civity of a highly respectable authority: it unquestionably contains the latest authentic news concerning the Greeks received in India, and goes in part to confirm a statement, which we published in an Extra of 2 August last on the same subject.

"*Tabriz July 24th* 1823.

"MY DEAR SIR,

"I have the pleasure to send you some Francfort Gazettes to May 10th which I have received within these few days from Constantinople. They contain the latest intelligence we possess from Europe.

"My letters from Constantinople are to the 20th June when every thing was tranquil in that Capital. The Greeks still endeavour to recover their liberty. Patras Coron, Modon and Corinth were occupied by them and many of the Islands. They had appointed a Governor over Candia, tho' that Island was not entirely in their possession. In the Morea Petrao Bey is the Chief and Maurocordato a person of great talents his secretary. With a little money their efforts might probably be successful and a Mr. Blaqueire was in the vicinity of the Morea deputed by the Greek Committee in London to enquire into their affairs, and to learn if a loan of one or two hundred thousand Pounds would contribute to their success.

"The Captain Pasha had sailed either for Candia or the Morea having on board his fleet several thousand Asiatic troops.

"In Albania the Turks only possess Prevesa, Aorta and Yannina, but the Porte contemplates to entirely subjugate the Greeks this campaign, and every exertion has been made to collect and employ her resources against them.

"You will have heard of the change which I believe is to take place in our diplomatic relations with Persia, and that Mr. Canning had proposed to the Court of Directors to again superintend the guidance of them. General Malcolm I learn is to conduct an Embassy to this Court, but I am not informed of any of the ulterior arrangements."

We have much pleasure to inform our readers that "the new Church at Poona is finished, and will be opened for Divine Service on Sunday 12th October.

Society for the Propagation of the Gospel in Foreign Parts.

Among other interesting communications which were made at the monthly meeting of the Society, a letter was read from the Rev. William Milk, Principal of Bishop's College at Calcutta, detailing an account of an interesting progress made by him round the Peninsula, in which he mentions his having visited the native Christians, and enters much into their history; for the particulars, however, of this letter, that we may not anticipate too much, we must refer our readers to the Report of the Society, now preparing for publication.

Three fresh Missionaries will, we understand, accompany the new Bishop, on his departure to India, which, it is expected, will be about the month of June.

A library for the College will at the same time be sent out, to the value of a 1000*l*.

It is deserving of mention, that the late lamented Bishop Middleton has left, among other donations to the College, five hundred volumes, to be selected out of his private library by the principal.

The Christian Remembrancer

A Critique on Quentin Durward will be found at the latter part of the paper.

THE THEATRE.

The Castle of Andalusia and Tom Thumb are we learn in rehearsal and the performance is fixed for the 15th instant if the health of a very substantial auxiliary to the Corps Dramatique will permit. An Orchestra of stringed instruments will be in training for the occasion.

Bombay.

ARRIVAL.—Lieut. A. R. Wilson, A. D. C. to Major Gen. Wilson.

DEPARTURES.—Lieut J. Saunders, 2d | 8th Regt.
Lieut. Blood, Artillery.
Lieut. Blood, 1st | 6th Regt.
Lieut. and Adj. Cotgrave, Artillery.
Surg. John Warner, 1st | 7th Regt.
Lieut. Lock, Nizam's Army.
Ensign Stark, 1st | 1st G. R.
Capt. J. Keith, A. A. Gen.

NAUTICAL NOTICES, CHRONICLE and NAVAL REPORT.

Bombay.

ARRIVAL.—Sept. 29th Persian Ship Rahomaney, Naqudah Sayed bin Sullan, from Bussorah, left Bussorah, 7th August Bushire, 24th August and Muscat, 18th September.

PASSANGERS.

Per Rahomaney.—Mrs. Bruce, and family, W. Woodhouse. late Navigator of the Caroline, Mr. Johnson.

DEPARTURES.—Sept. 25th The H. C. Survey Ship Discovery, Lieut. J. M. Guy, to the Persian Gulph.

Do. The H. C. Cruizer Psyche, Lieut G. B. Brock, to the Persian Gulph.

26th Ship Brailsford, (Free Trader) John Springs. to London.

Do. Armed Ketch Vigilant, Syrang Doss Mahomet, to Surat.

PASSENGERS.

By Brailsford.—Captain M. F. Collis 2d | 8th Regt. Lieut. J. Saunders 2d | 8th Regt. Mrs. Frome.

SHIPS LOADING.

English—Royal Charlotte, for London.
Glorioso, for Bengal.
Kuarovie, for Bussorah.
Grab Lall Kurson, for Bussorah.
Dadioy. for Pinang.

Calcutta.

ARRIVALS.—2d Sept. Ship Asia, W. L. Pope, from Bombay 6th August and Madras 24th Aug.

DEPARTURES---28th Ship Bussorah. Merchant, Captain J. Rowson for Natal.

Do. Ship Hercules, Capt. J. Heron, for Natal.

Do. Ship James Scott, Captain J. Mackenzie, for Madras and Bombay.

Do Arab Ship Hamon Shaw, Mahomit Bin Abrahim. for Muscat.

30th Ship Claudine, Captain J. Crabtree, for London via Cape.

Do. Ship Pascoa, Capt. H. Cathre, for China.

Do. Phœnix, Captain J. Brown, for China.

Madras.

ARRIVALS.—September 7th, Ship Lady Campbell, Captain George Betham, from D'Orient 1st and Madeira 9th May, and Cape of Good Hope 4th August.

DEPARTURES.—September 4th, Schooaer Highland Luss, Captain J. Hudson, for the Northern Horts.

5th. Dutch Brig Tagus, Captain W. E. Denison, for Coringa.

6th, Ship Glenelg, Captain H. R. Weddell, for Calcutta.

Do. Ship Mary Ann, Captain J. Weqster, forcutta.

9th, H M Schooner Tender Cochin, Captain Ed. Tincombe, for Ttincomalie.

10th, Brig Norfolk, Captain M. Kingsell, for Porto Novo.

General Register of Marriages, Births, and Deaths.

Bombay.

MARRIAGES.

At St. Thomas's Church, on the 25th ultimo, by the Rev. Thomas Cave, Mr. William Evans, Conductor of Ordinance, to Mrs. Anne Jane Johnston, widow of the late Conductor Robert Johnston.

Yesterday at St. Thomas's Church Lieutenant Alexander Adam of the Nizam Service to Miss Ann Willis niece of Major Willis.

BIRTHS.

At Colabah, on the 5th Inst. the Lady of Capt. G. Rotton, H. M. 20th Regt. of a Daughter.

At Poona, on Monday the 15th instant, the Lady of Captain A Wagon Browne, Inspector of Forts Deccan, of a Daughter.

[redacted]

DEATHS.

On Wednesday the 19th March, at Happisburgh Hill House, Major Gibson, belonging to a regiment of Native Infantry, in the service of the East India Company.

On the 20th instant, aged 20 days, Madeline Maria, the Infant daughte. of the late Captain J. Johnson, of the Bombay Artillery.

On board the H. C. S Dunera, off Deal on the 24th April 1823, after a lingering illness which he bore with Christian fortitue Lieutenant Oliph Spencer, of the Bombay Marine.

His remains were entombed in the Vault of his family.

At Malligaum, of fever on Sunday the 7th Instant, Emma Louisa, wife of Lieutenant Col. Dyson, Commanding in Khandeish, aged 23 years.

It is not the ordinary language of posthumous eulogy, that could sufficiently express the great loss, occasioned by the lamented decease of her, to whose memory this unequal tribute is didicated; but if unaffected sorrows, at so early a removal from this world, of one so eminently qualified to grace it, be an homage the best because the most sincere, it may in dees be gratifying to bereaved and sympathey ing friends that grief is the unmingled feeling in every heart, that know her worth, and could properly estimate the value of her acquaintance.

[redacted]

Calcutta.

MARRIAGE.

By Special License, on the 1st September at St. John's Cathedral, by the Reverend Mr. Corrie, L. L. D Lieutenant John Liptrap, of the 2d. Battalion 21st Regiment Bengal Native Infautry, to Miss Maria Perigoe.

BIRTHS.

On the 30th August, Mrs. J W E Taylor, of a daughter.

In Chowringhee, on tke 1st September, the Lady of Charles Paton, Fsq. Magistrate, Calcutta, of a daughter.

On Tuesday, the 2d September, the lady of G. P. Thompson, Esq, of a daughter,

DEATH.

On the 3d Sept. Charles Busch, Esq. of the Firm of Messrs. F. Bonuaffe and Co aged 48 years.

Madras,

BIRTH.

On the 3d instant, the Lady of Ed. Gordon, Esq. of Myrtle Grove, of a Daughter.

DEATHS.

At Madras, on the night of the 4th September, of Cholera, Catherine Grace, wife of Joseph Cox Esq. of the Medical Establishment of this Presidency.

On the Mount Road, on Saturday, the 6th instant, Emma, the third Daughter of Mr. Thomas Brady; aged 9 years and one month, with Cholera.

Europe.

BIRTHS.—OF A SON AND HEIR: The Countess of Erroll, at the Duke of Clarence's Busby Park.

OF SONS: Lady Tullamore, in Grosvenor-place.—The Ladies of Charles Walmesly, esq. of Westwood-house, Lancashire;—of John Rawlinson, esq. in Russell square;—of John Henry Pelly, esq. in Great Cumberland street.

OF DAUGHTERS: The Ladies of Brymer Belcher, esq. at Roehampton;—of James Harding, esq. in Margaret street, Cavendish square;—of Swyn few Jervis, esq of Swinnerton Park, Staffordshire;—of Wm. Assheton, jun. esq.

MARRIED.—At Brighton, St. Leger Hill, esq. to Miss Nugent, daughter of the late John Nugent, esq. of Epsom.—At Dunbar-house, April 19 John Warrender, esq. only brother of Sir George Warrender to the Lady Julia Maitland, youngest daughter of the Earl of Lauderdale.—At Fryern Barnet, George Rickword, esq. of Lydd, Kent, to Miss Susannah Jones Marsh, of Colney hatch—George Campbell, esq. of Edenwood, to Margaret Christie, daughter of Andrew Christie esq. of Ferrybank.—Last week, at Barnstaple, the Rev. George Wrench, rector of Stowting, Kent, to Frances, youngest daughter of the late Rev. John Franklin, Squire, rector of Bratton Fleming, and of Arlington, Devonshire.—At Bury, April 28, the Rev. Thos. Ellis Rogers, of Lackford, Suffolk, to Sophia, youngest daughter of the late Rev. Edward Mills, of Bury.—At Montego Bay, Jamaica, the Rev. Dr. Towton, to Mary, fourth daughter of the Rev. T. Thorn, of Bath.—May 1, at Bathford, the Rev. J. Williams A. M. rector of Wiverton, Norfolk, and of Matherne, Monmouthshire, to Miss Ahdy, of Bathford.—At Manchester, the Rev. M. Formby, A. M. son of the late R. Formby, L.L. D of Formby-hall, Lancashire, to Carolina daughter of Lawrence Pell, esq. of Ardwick.—At Stockport, the Rev. John Baron B. A. vicar of Walsall, Staffordshire, to Anna Maria, fourth daughter of the late Rev. C. Prescott, B.D. rector Stockport.—At Herford, Mr. F. Gilbertson of Egham, to Fanny, eldest daughter of Mr. Alderman Gilbertson, of the former place.—At Chelsea, Lieutenant John Taylor, R. N. to Miss Maria Ann Marshall, late of Castle street, Leicester-square,—At Marylabonne, John Raymond Barker, esq of the 3d guards to Harriet youngest daughter of the late Wm. Bosanquet, esq. of Upper street.—At Airly Castle, Angus, April 30 John Wedderburn, esq. to the Hon. Lady Helen Ogilvy, youngest daughter of the late and sister of the present Earl of Airly.—At Marylabonne, Doctor Gibbs, of Old Quebec street, to Sarah, Elizabeth, daughter of Thomas Armstrong esq of Baker street, Portman square.—At Aberdeen, George Hay Boyd esq. to Mary, second daughter of the late James Tower, esq. of St. Thomas.—Mr. Benjamin Gree , of Upper Thames street, to Susannah Tucker Rowland, second daughter Joshua of Rowland esq. of the Borough.—At Islington, May 9, William Middleton Esq. of Albion place, to Sarah, third daughter of the late John Garratt, Esq. of Newington-green.—At St. George's West, Mr. E. Were, of Spencer street, Goswell street, to Mary Ann, youngest daughter of Mr. Smethergell, of Hatfield street, Blackfriars road.—At St. Martin's, May 7, John Barclay, Esq. of Barnes, Surry, to Martha, youngest daughter of John Hawes, Esq. of Spring Gardens.—May 8, Henry, son of Mr. Westley, Strand, to Mary Ann, daughter of the late Mr. King of Woolwich.

DIED.—April 25, in Park-street the Right Hon. Catherine Countess Dowager Morton, aged 86.—At Fair View Ellesmere, April 29. Mrs. Young, aged 70.—At Le Mons, in France, April 18, Goodwin Colquet, esq. late of the Grenadier Guards.—May 1, at his seat, Hill hall, Essex, Col. Sir Wm. Smyth, bart, aged 78.—Aged 60, Mr. Wm. Binfield, of Ashe terrace, Hoxton.—At Ellesmere, aged 89, the Rev. E. Evans, A.B. formerly of Jesus College, Oxford, and minister of Welsh Hampton, and Dudleston, Salop.—April 29, after an illness of twenty years, occasioned by a cancer on the right side of his nose, which affected the whole of his face, and terminated in the throat. Mr. Thomas Harper, of Normanton, near Derby, aged 78.—At Cheltenham, on May 2, the Rev. W. B. Cocker, M. A. vicar of the contiguous parishes of Bunny and Ruddington.—April 29, the Rev.——Bennett, vicar of Hatfield.—At Chewton, near Ludlow, the Rev. F. Marston, vicar of Stockesay.—April 28, at Fersfield, Parsonage, in Norfolk, aged 82, the Rev. James Lambert A. M. the Senior Fellow of Trinity College, Cambridge.—At Cheltenham, aged 70, the wife of Henry Upton, esq.—At Greenwich Hospital, May 4, aged 85, the Rev. John Cook, M. A. one of the Directors of the Hospital, and Vicar of Dynton, Bucks—In Whitecross street Prison, May 2, Lieutenant Colonel Thomas Davey, of the Royal Marines, late Governor of Van Dieman's Land.—May 6, aged 27, Miss Phœbe Burder.—May 3, at Newcastle-upon Tyne, Mrs. B. Scott, sister of the Lord Chancellor and Lord Stowell.—At Camden Town, Mr. Jeremiah Stockdale, of Holborn.—At Croom's hill, Greenwich, aged 83, Mrs. Nairne.—On his passage to this country from the East Indies, in the Lord Castlereagh, Charles Daw, esq.

(To be Continued.)

Madras.

SUPREME COURT.—The fourth LAW TERM for the present year will commence this day at Noon. A very interesting question is likely to be discussed arising out of an arrest that has recently occurred here—viz. whether a person having been made a Bankrupt in England and having obtained his certificate of Bankruptcy, is liable to arrest in this Country for debts previously contracted here by him, either as a Resident or passing Stranger—there are other material points in the present case but this principle will in all probability be the chief one.

The Honorable the GOVERNOR arrived at Ooscottah on the 3d instant, and on the 4th the Camp was at Deonully. The weather, it seems had been very changeable, and much rain had fallen—the Party nevertheless continued healthy. In the Camp at Oodenhully on the 30th ultimo, the Thermometer did not rise above 70,—rain falling the whole day—while a very short time before it was at 97. Sir THOMAS MUNRO expected to enter the Bellary District about the 8th, at Paulsamoodrum.

Meanwhile an interesting event has taken place in the GOVERNOR'S family, which we are happy in being able to announce as follows:—

BIRTH.—At the Government House, Madras, on Sunday the 7th instant, LADY MUNRO, of a Son.

Supt. to the Madras Cour. Sept. 12.

Commodore Grant, C. B. embarked on H. M. ship *Liffey* on Tuesday afternoon, under the customary salutes.

The *Liffey* left the Roads immediately, and it is understood proceeds first to Trincomalee and thence to Bengal. H. M. S. *Alligator*, left the Roads at the same time with the *Liffey*.

The *Advocate General* of Madras MR. COMPTON is about to proceed to Calcutta, having received an invitation from THE GOVERNOR GENERAL to go round and supply the place of MR. FENGUSSON now acting as *Advocate General* in Bengal, but who is about to return to Europe—MR. COMPTON and Family embark for Calcutta on the H. C. Ship *Princess Charlotte of* Wales—A Successor to *Mr. Spankie* is expected te be appointed in England, when MR. COMPTON it is understood will return to Madras and resume his present Situation.

Government Gazette, Sept. 18.

English News.

DECCAN PRIZE MONEY.

Copy of the WARRANT appointing *Trustees* for the INDIAN BOOTY.

WHEREAS in consequence of aggressions towards Us and Our Subjects, Wars or Hostilities were begun and carried on in the years 1817 and 1818 by Our Forces in conjunction with the Forces of the United Company of Merchants of England trading to the East Indies against the Pindarees and certain of the Mahratta States and Powers—And whereas it hath been represented unto Us by the Lords Commissioners of our Treasury that, in the course of and during such Wars or Hostilities, divers Ordnance, arms, Ammunition, Artillery, Stores of War, Provisions, Elephants, Cattle, Goods, Merchandize and Treasure were at different times captured, seized and taken possession of as Booty by certain of the Forces employed in the said Wars or Hostilities—And whereas it hath been further represented unto Us that the said Booty does of right belong to Us in virtue of Our Royal Prerogative, and that the said Booty should be given and granted in such manner as to Us should seem meet and just—And Whereas Our said Commissioners have humbly submitted to Us for Our Gracious approval a Minute of Our Board of Treasury bearing date the 5th day of February in the present year of our Lord 1823 upon certain proceedings had on divers Memorials on behalf of the Directors of the said United Company of Merchants of England trading to the East Indies praying that We would be pleased to grant to the said United Company all such Booty and Plunder Stores Provisions and Things as were taken in the said War with the Pindarees and the Mahratta Powers as to one half part of the value thereof for the proper use of the said Company and as to the other half part thereof for the use of the Commanders, Officers and Men, belonging to the Army employed in the said War, and also on behalf of The Most Noble Francis Marquis of Hastings Knight of the Garter and Commander in Chief of all Our Forces in India, and also on behalf of the General and other Officers and Troops belonging to the Presidency of Bengal and composing the grand Army, and also on behalf of Lieuetenant General Sir Thomas Hislop, Baronet, Grand Cross of The Most Honorable Military Order of the Bath, late Commander in Chief of the Army of Fort St. George in the East Indies, and Commander in Chief of the Army of the Deccan, acting for himself in the latter capacity, as also on behalf of the said Army of the Deccan—And also on behalf of Major General Sir William Grant Keir and certain Forces under his Command praying to be admitted to share in the said Prize or Booty taken in the said Hostilities—the said Minute being in the words following—(To wit.) 'My Lords having heard Counsel in support of the claims of The Marquis of Hastings and the Grand Army, and of those of Sir Thomas Hislop and the Army of the Deccan, and having maturely and deliberately weighed and considered all the Documentary Evidence laid before them in behalf of the several parties and the arguments of the Counsel, are of opinion that the most just and equitable principle of distribution will be to adhere as neatly as the Circumstances of the case may admit to that of actual capture; and although they are aware that the principle of constructive capture must under certain circumstances in a degree be admitted, the disposition should be to limit rather than to extend that principle. They are therefore of opinion that the mode of distribution originally intended by the Marquis of Hastings would be most equitable and just with respect to the Booty taken at Poonah, Mahidpoot and Nagpore, and that the booty taken on such of those occasions respectively should belong to the Divisions of the Deccan Army engaged in the respective operations in which the same was captured.—But that as the division of the Bengal Army under Brigadier General Hardyman appears to have been put in motion for the purpose of co-operation directly in the reduction of Nagpore and to have been actually engaged with a Corps of the Enemy antecedent to the surrender of that place, this Division appears to my Lords to be justly entitled to share in the Booty captured at Nagpore; and that such other Booty arising from the operations against the Mahrattas in the years 1817 and 1818 as may now be subject to His Majesty's Royal disposition should be granted to such Division of the Grand Army under the command of the Marquis of Hastings and of the Deccan Army under the command of Sir Thomas Hislop as may respectively have captured the same. My Lords are also of opinion that conformably to the letter of the Marquis of Hastings to Sir Thomas Hislop of the 12th January 1818, Sir Thomas Hislop as Commander in Chief of the Deccan Army and all the Officers of the General Staff of that Army are entitled to participate in the Booty which may arrise from any capture by any Divisions of the Army of the Deccan until the said Army of the Deccan was broken up on the 31st March 1818. My Lords have felt it to be inconsistent with their duty to recommend to His Majesty to give his sanction to any agreement for the common division of Booty into which the several divisions of either Army may have entered, as it is their decided opinion that if the principle of actual capture be not adopted in this case as the rule of distribution no othe

(To be Continued in the Appendix.)

MEETING OF MERCHANTS AND BANKERS.

Yesterday a Meeting of the most eminent Merchants and Bankers of the City of London, took place at the London Tavern, for the purpose of adopting measures for the greater security of the money advanced by them in the course of their commercial transactions, upon the deposit of merchandize and goods, and for a more adequate protection than is at present afforded by the English Law against the fraudulent conduct of Foreign Merchants.

JOHN SMITH, Esq. M. P. was unanimously called to the Chair.

The CHAIRMAN said it was known to them that Merchants, Bankers and other Capitalists, were in the habit of advancing money on the security of Merchandize to a considerable extent, as well on the deposit thereof as in payment of bills of exchange drawn by the consignors from foreign parts, or from one port to another within the United Kingdom. To encourage the employment of capital by means of such advances, by which the amount of capital actually engaged in commercial operations was increased, and the trade of this country was carried to a vast extent, was a sound principle of policy: but it was to be lamented that no adequate protection was afforded by our law to such transactions. On the contrary, the English capitalist advanced his money at his peril and to his loss, if the goods proved to be the property of any other person than the individual borrowing or drawing upon the credit of them, although such fact was unknown and undiscoverable by the person making the advance. To provide against such a hardship, it became the great body of the capitalists of the nation to make every effort. It was worthy of remark that our Scottish brethren had exhibited upon this, as upon other questions a much greater degree of prudence than we had exercised, as would be shewn in the course of the discussion. In fact, the English law was unfair and absurd in the highest degree; for it went to prevent the circulation of capital beyond any measure that, perhaps, had ever been brought before Parliament.

Mr. FARRAND, M. P. rose to submit certain Resolutions, which had, he said, been drawn up under the legal opinion and advice of Messrs. Kaye, Freshfield, and Kaye. He observed, that the rule that a factor, though clothed with apparent ownership of goods, and the power of sale, could not pledge them, or dispose of them by barter, originated in cases determined a century ago, and turned principally on apparent fraudulent collusions between the factor and the individual with whom the goods were deposited—the Courts of law had carried the principle to such an extent as to render all advances on goods extremely dangerous by exposing English Capitalists, who advanced money on merchandise, to frauds on the part of foreign merchants. Any dereliction of duty, as between the principal and his factor, ought to be visited with severe penalties, such as were provided in the case of agents who embezzled securities and other effects deposited for safe custody, but so far as

other persons were interested in the transaction, without knowledge of any breach of confidence committed by the factor, the principal ought to be bound by the act of his own agent. He cited cases to shew the great hardship arising from the present state of the law, and observed, that even the freight and duties on goods could not be safely advanced unless the bills of lading shewed that they were the property of the party for whose account such advance might be made. The Scottish law gave to the Scots capitalists the same advantages over the English merchants which foreigners possessed, and it was obvious that it would be for the advantage of commerce that this anomaly should be abolished, and the laws of neighbouring trading communities should be assimilated as much as possible. He concluded by proposing the Resolutions, and moving that a Petition should be presented to Parliament for an inquiry to be instituted into the state of the law, and a remedy provided for the evils complained of.

Mr. SHAW (the Banker) said, it was well known that Bankers were affected by securities of a different description from those alluded to. Bankers were in the habit of receiving Exchequer Bills and East India warrants as securities for money. Exchequer Bills were often placed in the hands of brokers to sell, but the brokers, instead of making the sale, borrowed money on the bills, and the security became unavailable if the principal made his demand. The same was the case with East India Warrants. Against such losses the Bankers had no sort of protection.

Mr. HANKEY (the Banker) pressed the same objection.

Mr. FRESHFIELD said there was a striking difference between securities representing goods, and securities representing money. With respect to goods they might be traced to their apparent source and ownership, and yet the law gave no protection to the person who advanced money on them, as a third person might come forward to prove his claim. No intelligence would secure the Merchant. It was different with the Bankers. If the Exchequer Bills left with them as securities were made "payable to bearer," they were according to the decision of the Courts negociable. None, in fact, of the consequences attached to goods would attach to Exchequer Bills.

Mr. THOMAS WILSON, M. P., said he felt much for the Foreign Merchants. Care should be taken to protect them from abuse of trust.

Another Merchant said, that in consequence of the knowledge of the state of the law, foreign capitalists would not advance their money, but if the evil were remedied, there would be no hesitation amongst them. He suggested a Select Committee.

The CHAIRMAN thought that nothing could be more uncertain in general than the conjecture as to the opinion of the Law Officers of the Crown: but he believed they were not hostile to the proposition of remedying the existing evil. Indeed, he understood their disposition is friendly towards a change. If the proceedings of the Meeting were brought to a speedy termination, a Bill might be brought into Parliament this Session.

The Resolutions were agreed to, and the Merchants and Bankers signed a Petition to Parliament.

The Morning Chronicle May 2.

RUSSIAN POLICY IN THE EAST.

[From the *Algemeine Zeitung* of the 25th and 26th of April.]

CONSTANTINOPLE, MARCH 26.

The letter from the Reis Effendi to Count Nesselrode must have long since reached its destination. Many of the Turks flatter themselves that Russia will now deliver up the Asiatic fortresses, which the Porte has so perseveringly demanded, especially as the accounts leave no doubts of the present policy of the Russian Court, and have clearly convinced the Porte of the sincere and noble conduct of the Emperor Alexander. The Russian ambassador at Teheran, M. Mazarevich, a friend of Count Capo d'Istria's, and probably instructed by him, who is supposed to have promoted the Persian war, is recalled, on which the Persian Court, convinced that the Russian Emperor sincerely wished well to the Porte, immediately opened a negotiation for peace with the Porte. Whoever is acquainted with the relations that have subsisted of late years between Persia and Russia, will be sensible of the importance of this step. It was long since conjectured that Persia had commenced the war chiefly at the instigation of the above-mentioned Russian Ambassador; and that the Persian Ministers often said, since the last unfortunate war with Russia, that if an Emperor fond of war reigned in Russia, Persia would be ruined. It should seem, therefore, that Persia began the war with the Porte at the breaking out of the Greek insurrection, partly for its own interest, and partly at the instigation of the Russian Envoy, and that it now acts quite in conformity with the wishes of the Russian Court. This event is a great blow upon the Greeks, as Turkey may now direct its whole force against them. Their fate now depends on their own efforts and the will of Heaven.

The Times May 5.

THE EAST INDIA SUGAR QUESTION.—The discussion with respect to the rate of duties on East India sugar, is felt by mercantile men to be one of great importance; but we doubt whether the public at large have yet been made sufficiently aware of the extent to which they themselves are interested in its results. It is a principle now generally admitted, that a complicated and artificial system of trade, a system of bounties on the one hand, and of prohibitions on the other, is not that best calculated to promote the prosperity of the nation,—that the permanent and ultimate interest of the mass is identically the same as that of the individuals of which that mass is composed,—and that if it be desireable for every consumer to supply himself with articles of the best possible quality at the lowest possible rate, it is alike desireable, as regards us all, that we should derive those comforts and luxuries, for which we are dependant on other countries, from those markets where, as they are most cheaply produced, they may be most advantageously acquired.

These are principles so obvious to the common sense of mankind, that our only wonder is, not that they now prevail, but that they should ever have been controverted. Yet, strange as it may appear, it is no less true, that there are, even yet, persons who, without venturing to deny, or even to doubt, their abstract truth, do, nevertheless, vigorously oppose attempts to give them a general practical application. In such cases it will, however, mostly be found, that the perceptions of those who resist attempts to make commerce in practice what is admitted to be right in theory, are clouded by selfishness, that their field of vision embraces only the narrow circle of their own immediate interests, and that they wish to burthen society at large for their exclusive advantage.

This fact was, perhaps, never more strongly exemplified, than in the case to which we are adverting. Previous to the opening of the free trade to India, in 1813, the West Indies, in effect, possessed almost a monopoly of the supply of sugar to this country; for the importation of East India sugar, though provided for and contemplated by parliament, did not prevail in a regular or extensive degree. Accordingly, at this period the West Indians were content that the same duty should be levied on their sugars as on those from the East Indies. This was the case up to 1803. In that year the duty began to be rated on the bulk, instead of on the value, of sugars; and 27s. per cwt. on all East Indias was fixed, as a medium between 24s. on brown and 29s. on white West Indias. In 1809 the duties on each were raised, but the same principle and the same proportions were preserved.

In 1813, however, when the free trade to the East was opened, the West India interest pressed for and obtained the imposition on East India sugars of an extra duty of 10s. per cwt. That is they did not fear to contend against the sluggish operations of an overgrown company; but so soon as the vast field of India became open to the enterprise and energy of private merchants, the West Indians shrunk from a competition, which they had before not dreaded to encounter.

The pretences under which a protecting duty was demanded, appear to have been, 1st, the obligation imposed on the colonies of bringing all their produce, in the first instance, to the mother country; thus subjecting such portion as might be re-exported to expenses beyond what would have been incurred by a direct shipment to the place of foreign consumption;—2d, their being bound to purchase all their supplies from the mother country, both for the purpose of cultivation, and the support of their slaves.

These grievances, however,—and such they undoubtedly were—now no longer exist: they were entirely removed by an act of the last session of parliament, for regulating the intercourse of the West Indies with America and other parts of the world. It is evident, therefore, that they can no longer afford any pretext for the maintenance, on the East India sugars of a higher duty than that to which those of the West Indies are subjected.

[The Manchester Guardian, April 19.

GAME LAWS.

A bill has been brought into the House of Commons to make the selling of game legal; and the following are its chief provisions:—Two or more Magistrates at any petty sessions may grant license for one year to any householder (not being an innkeeper or victualler, or stage coach owner, or waggoner) to buy game of a qualified person, and to sell the same. Persons on taking a game certificate are to state to the clerks of the Commissioners, or surveyors of the district, whether they are qualified to kill game by virtue of having real estate; and every such statement is to be published by the Commissioners for the Affairs of Taxes in the lists of certificates directed to be advertised by them; and any person may inspect the entries of such statements in a book to be kept by such clerks or surveyors, on payment of one shilling to such clerk or surveyor. Qualified persons taking out game certificates are to be exonerated from the penalty of selling game, as well as licensed persons for buying it; but licensed persons are to be prohibited from buying, except of qualified persons. Power is given, on information, to search a licensed person and his premises for game unlawfully purchased or procured; and also to search an unqualified person and his premises, for game suspected to have been illegally procured. Inkeepers not to be liable to penalties for game sold in their inns for consumption; provided such game shall have been purchased by such inkeeper from licensed persons.

Game sent by public conveyances is to be entered in the way bills, stating the names and places of abode of the persons by whom, and to whom, such game is sent. Power is also given to search public conveyances for unentered parcels of game. Persons trespassing for game are liable to a penalty. The Act is not to affect the rights now possessed by lords and ladies of manors; nor to extend to Scotland or Ireland.

PRESERVATION OF FLOWERS.—A few grains of salt dropped into the water in which flowers are kept, tends greatly to preserve them from fading, and will keep them fresh and in bloom double the period that pure water will.

WAR OFFICE, JUNE 7,

1st Regt. of Drag. Guards; Lieut. Hon. C. Western to be Lieut. vice Clarke, who exch.—7th Ditto: Lieut. F. D. Chalmer to be Captain vice Power, who retires; Cornet H. A. Bowen to be Lieut. vice Chalmer; F. Dunne, Gent. to be Cornet, vice Bowen,—3d Regt. of Light Drags Surg. R. C. Walker to be Surg. vice French—Coldstream Regt. of Foot Guards, E. D. Wigram, Gent. to be Ensign and Lieut. vice Serjeantson, from 6th Regt. of Foot: Lieut. A. Macbean to be Lieut. vice Carnie. who exch.—14th Ditto: Lieut. J. H. Crawford to be Lieut. vice Kent, who exch.—18th Ditto, C. S. Knyvett, Gent. to be Ensign, vice Forbes.—22d Ditto.—To be Ensigns, A. Dunbar, Gent.; J. F. Mills, Gent.—23d Ditto Lieut. Thomas Harrison to be Lieut., vice Monro, who exch.—34th Ditto, Surgeon Thomas French, M. D. to be Surgeon, vice, Allardyce who retires,—39th Ditto, Surgeon C. Waring to be Surgeon, vice Walker,—51st Ditto, Lieut. E. S. Maur to be Capt. vice Storer retires: Ens. W. Timson to be Lieut. vice St. Maur—52d Ditto, Lieut. G. H. Love to be Adj. vice Monins—89th Ditto, Ens. J. R. Majendie to be Lieut. vice M'Crohan, ret. 1st Royal Vet. Bat., Lieut. W. Mayes to be Lieut. vice Fothergill—3d Royal Vet. Bat. Lieut. T. Pilkingson to be Lieut. vice Collins; Hosp. Ass. J. H. Walsh to be Hosp. Ass. to the Forces, vice Simmons; Hosp. Ass. D. Brown to be Hosp. Ass. on the Forces, vice Hawkins.—Commissions in the North Shropshire Regt. of Yeomanry Cavalry J. W. Dod Esq. to be Captain; Lieut. J. V. Lovett to be ditto; Cornet H. Jones to be Lieut., J. Jones, Gent. to be Cornet—Commission in the Derbyshire Regt. of Yeomanry Cavalry:—E. Dawson, Gent. to be Cornet, vice Hartshorne.

ANNIVERSARY MEETING OF THE BIBLE SOCIETY.

Yesterday the anniversary meeting of the Bible Society was held at the great hall of the Freemasons' Tavern, which was filled in every part, even to the galleries, soon after the doors were opened, and great numbers were unable to obtain admission. Lord TENTERDEN took the Chair.

The report, which was extremely voluminous, was read by the Secretary. It announced the death of their late secretary, the Rev. John Owen, to whose memory it paid a tribute, in which the meeting expressed their concurrence by the manner in which they received the intelligence. The number of the copies of the Scriptures circulated this year exceeded that of any former year, and made the total circulated by this society alone, since its commencement, more than three millions of copies. It also represented the society to be still flourishing in every quarter of the world, and had spread its agents and increased its supporters in India, Russia, and America.

Lord BEXLEY seconded the motion that the report should be received. He said that he could not help congratulating the meeting on the beneficial effects which they had already produced, and the extent to which they had spread the Scriptures, as exemplified in their distribution of them for the comfort of the inhabitants of the frozen regions of Iceland and a large portion of South America. His lordship concluded by expressing his ardent wishes for their prosperity.

Lord HARROWBY was received with much applause. He moved the thanks of the meeting to their President. To those who had witnessed the amazing progress of the institution no words could be necessary to induce them to give their thanks to him who had persevered in his exertions up to the present time. His was a rare felicity, such as was only received in another century by Sir C. Wren, who, having laid the first stone of the great metropolitan temple to God, had the felicity to see its top ascend to the clouds, and crowned by the cross of Chirst.

The Bishop of GLOCESTER seconded the motion in an able eulogium on the exertions and conduct of the noble chairman. His Lordship said there was one statement in the report at which he was particularly gratified—namely, the statement of the progress which the society had made in Ireland; for he was convinced that the only permanent remedy for the evils which afflicted that unhappy country was religious and moral education.

Lord TEIGNMOUTH rose and returned thanks, and congratulated the meeting upon their progress and the great increase of correspondence in the most remote and uncivilized countries.

The Secretary from the Russian Bible Society returned thanks in the name of their fellow labourers in Russia, and informed the meeting that they had circulated the Scriptures amongst Cossacks and Tartars of various nations; amongst even the Chinese and to the confines of the vast empire. They had printed in the last year 160,000 copies of the Scriptures at St. Petersburgh, and this year would print 100,000 more.

Lord CALTHORPE, Sir C. GRANT, and several other distinguished persons addressed the meeting, which, after the resolutions were unanimously agreed to, separated.

The Times, May 8.

MR. O'MEARA.

TO THE EDITOR OF THE MORNING CHRONICLE.

Montague-square, March, 25, 1825.

SIR,

I had intended to have troubled you this day with a third letter on the subject of *The Quarterly Review*, but I find the subject so grows on me that it is utterly impossible to comprise its details within the compass of a newspaper. In addition to this, I have at length fortunately discovered a variety of letters (which escaped the St. Helena robbery) addressed to me by Colonels Reed and Gorrequer, by which the public will be pretty well enabled to judge of the veracity of the former in instructing the Solicitor-General to deny our intimacy, and the modesty of the latter in lending himself to a charge of indelicacy against any one. These, together with the observations to which they give rise, must be reserved for a Pamphlet which I am now preparing, and which is in a course of translation into foreign languages, as I am now pretty accurately informed both as to why the St. Helena Governor has come into Court, and why his creatures have crawled over *The Quarterly Review*. The Foreign Potentates shall now see whether or not they were misled by me as to the treatment of the unfortunate Napoleon, and the world shall judge whether *The Quarterly Review*, and the prosecution in which the truth cannot be told in defence, are *answers* to my statements. The arts of calumny and misrepresentation will be exerted quite as vainly as were heretofore those of bribery and menace. I shall never cease until I have laid bare, in all their deformity, all the agents in the dark transaction of St. Helena; the publicity of present day shall not suffice for them—they shall become antiques, and, like antiques, they will look green in the poison rust that preserves them.

I have the honour to be, Sir

BARRY E. O'MEARA.

The Morning Chronicle,—March 24.

THE KING, ON THE PROSECUTION OF SIR HUDSON LOWE, V. BARRY E. O'MEARA, ESQ.

Mr. C. PHILLIPS begged now, as the Solicitor-General was in court, to mention a case which had been deferred from time to time, but which the defendant was extremely anxious to bring forward—"The King v. O'Meara."

The LORD CHIEF JUSTICE.—Oh, I think I recollect—it is a rule for a criminal information, is it not?

Mr. PHILLIPS.—Yes, my Lord; against Mr. O'Meara, for publishing a work entitled "A Voice from St. Helena," reflecting on Sir Hudson Lowe.

The LORD CHIEF JUSTICE.—I remember there was an objection suggested as to time. When was the rule obtained?

Mr. PHILLIPS—In Hilary term, my Lord.

The LORD CHIEF JUSTICE.—And when did the publication of the work take place?

Mr. PHILLIPS.—It is so long ago, I am sure I cannot remember.

The LORD CHIEF JUSTICE.—It is not beyond the memory of man, Mr. Phillips? (A laugh.)

Mr. PHILLIPS.—It will last as long as the memory of man, my Lord. (A laugh.) I will shortly argue this objection now, in order to save the time of your lordships; but I am quite prepared to go into the merits, if there is any doubt on the subject. The rule was obtained only two days before the expiration of Hilary term; and——

The LORD CHIEF JUSTICE.—And when was the publication?

Mr. SOLICITOR-GENERAL.—I can put your lordship in possession of the date; it was in the month of July. Since that time, however, successive editions of the work have made their appearance to a very late period.

Mr. Justice BAYLEY.—And were the passages charged as libellous in the first edition?

Mr. SOLICITOR-GENERAL.—All the passages on which I moved the rule certainly were. There are some additional passages in the later editions reflecting on Sir Hudson Lowe; but as I did not think these alone would afford ground for the application, I thought it right in candour to refrain from mentioning them.

The LORD CHIEF JUSTICE.—Then it stands thus—the application is made on the last day but two of Hilary Term, in respect of a work published in the July preceding.

Mr. PHILLIPS.—I will give your Lordship the exact points of time. The book was published on the 5th of July, 1822; and the rule was moved for on the last day but two of Hilary Term, 1823. During that interval no less than ten grand juries have sat within the city, where the work was published; one assize has passed over, and nearly two terms of this Court; but the prosecutor took no step whatever to obtain redress for his alleged injury.

The LORD CHIEF JUSTICE.—It is very tardy, indeed: have you any precedent, Mr. Solicitor-

where an application of this kind has been granted after so long a delay?

Mr. Solicitor-General.—I have not, my Lord; but I may urge as a reason for the delay, that Sir Hudson Lowe is a soldier, unacquainted with the forms of law, and probably unadvised as to his remedy.

The Lord Chief Justice.—Do you swear that he has been absent from England all this time?

Mr. Phillips.—No, my Lord; he has been the whole time not only in England, but in London. There is no ground suggested why he did not make his complaint at an earlier period. His character as a soldier is not in his favour, but against him, because the nice honour of a military officer ought least to endure delay when imputations are cast on its purity. In case of magistrates it is an established rule that no application for a criminal information can be heard so late in the second term after the offence imputed as to preclude them from showing cause in that term. Here the motion was made at a period when it was impossible to show cause, and in the mean time the speech of the Solicitor General was published, and unquestionably was calculated to make a deep impression on the public.

The Lord Chief Justice.—Scarcely more than the original publication, Mr. Phillips?

Mr. Phillips.—But much less deservedly my lord.

The Lord Chief Justice.—We can know nothing of that; we are not at present on the merits, but on the objection as to time.

Mr. Phillips.—And that, I submit to your Lordships, is decisive. My learned friend obtained this rule on the express condition that he should produce some precedent of a rule granted after a similar delay: I now put it to him, has he any such precedent? Has he an authority in the least parallel in circumstances to this case? If not, the condition is unfulfilled, and the rule must be discharged.

The Lord Chief Justice.—Yes; the rule must be discharged, and that will, perhaps, be the best end of it. Let it be discharged.

Mr. Phillips.—And with costs?

The Lord Chief Justice.—No; not with costs on this preliminary objection, especially as it is in some measure the fault of the Court that the rule was granted.

Mr. Solicitor General begged to observe, as he was bound to do in candour, that he had not found any case where so late an application was granted.

Mr. Scarlett, on the same side, made a similar admission.

The Lord Chief Justice, recurring to the question of costs, said—We cannot give costs, unless we hear the merits; if you go into the merits, you must wave this preliminary objection.

Mr. Phillips.—My Lords, I hope your Lordships will think we ought to receive the costs which we have incurred by appearing to answer an application which it now appears ought never to have been made. Your Lordships will understand the earnestness with which I press this point, when I state that in preparing to show cause against this rule, my client has incurred an expense of at least 800l.

The Lord Chief Justice.—800l.! Oh, it is impossible.

Mr. Phillips.—It is very true, my Lord. We could not venture to anticipate how the Court would dispose of this objection, and therefore we were obliged to prepare our answer on the merits of this cause, which led to great and unavoidable expense, from the nature and extent of the charges. When the Court see that there was no pretence for the delay—no shadow of foundation for the rule——

The Lord Chief Justice.—We are not entering on the merits now. If you will have the rule discharged on this preliminary objection without costs, we are ready to discharge it; if you determine on going into the case, you must take the consequence.

Mr. Phillips.—Will your Lordships allow me to consult my client, and mention the case again to-morrow? It is a case in which I have a strong feeling, and I should wish my client to act on his own discretion.

Mr. Justice Bayley.—He had better be governed by yours, Mr. Phillips.

The Lord Chief Justice observed, that the Court had often great reason to lament that the suitors followed the dictates of their own passions, instead of the recommendations of their counsel, by whose advice they would be almost always safely guided.

Mr. Scarlett begged to suggest, that in this case, as the defendant was aware of the objection, and might have relied on it, there was no occasion to incur that expense which he now sought to throw on the other side.

Mr. Patteson, who was with Mr. Phillips, begged to be heard for a moment on the question of costs. He confidently submitted that even if the rule were discharged on the preliminary objection, it ought to be discharged with costs. It was the duty of the Solicitor-General, who obtained this rule on condition of producing authorities, to examine at once if they existed, and if not, to abandon the rule.

Mr. Justice Best.—If you stand on this ground, and preclude the consideration of the merits, we cannot give you costs: you may abandon it, and go into the merits if you please.

Mr. Justice Bayley.—It often happens that affidavits are irregularly sworn: the Court in that case discharged the rule, but invariably without costs.

Mr. Patteson argued that the prosecutor was bound to give the defendant notice that he would not support the rule; and as this had been omitted, he ought to pay all the expense occasioned by his persisting in the attempt to sustain it.

The Lord Chief Justice.—We give you an opportunity of consulting with your client, whether he will have the rule discharged on this objection without costs, or wave the objection and enter on the merits. When we have heard the merits, it will then be for us still to say whether the rule shall be discharged with costs, or without costs, or made absolute.

Mr. Scarlett.—Or discharged on payment of costs by the defendant.

Mr. Phillips urged that he ought not to be compelled to abandon the ground of delay, to entitle himself to be heard on the merits.

The Lord Chief Justice said, the defendant might have asked the opinion of the Court on the preliminary objection, before he incurred the expense of preparing for an answer on the merits, and if that opinion had been against him, might have prayed that the rule should be enlarged, to give further time to answer.

Mr. Phillips replied, that he had been prevented from taking this step by a feeling of delicacy towards the Court, and begged to know whether, if he should go into the merits, he would be deprived of the benefit of his preliminary objection.

The Lord Chief Justice.—The Court can make no bargain of this kind; you must take such course as you deem best.

Mr. Justice Bayley.—If the merits are against your client, he had better adopt the suggestion of the Court.

The Lord Chief Justice.—Or if they are doubtful.

Mr. Phillips.—If the case is put in this manner, we must go into the merits, for we contend that the prosecutor has no merits at all.

The Lord Chief Justice.—Well; we cannot hear that now.

Mr. Phillips.—Then I will mention the case again to-morrow. Here the conversation dropped.

The Times, June 12.

POLICE.

MARLBOROUGH STREET.

On Monday, *T. Shepherd*, a soldier in the Guards, was charged with polygamy. The second wife advanced with an air of fierce determination to perform her duty to society. She said "My name is Mary Rumble." She tendered for the Magistrate's perusal the correspondence which had been opened between the three Ladies to whom the prisoner had given his hand. The Magistrate asked Shepherd what he had to say. His first wife was, he said, Mary Ayr, whom he married early in 1812. But he was ordered to Portugal—the Lady accompanied him, but upon an evil day, he agreed she might go as servant into the establishment of a Lieutenant E——, where she formed a more intimate connexion than the letter of her agreement justified. She afterwards quitted the Lieutenant for a tailor, whom she married; and he was told she had died. He then met Mary Rumble at Windsor, and crediting the rumour of his former wife's death, he again became a Benedick, and opened a lodging-house; but his prospects were again blighted by certain conduct on the part of his wife towards a fellow-lodger.—Here Mary Rumble cast upon him such a glance of mingled indignation and defiance as induced the prisoner to pass to his third marriage, his justification of which was, that as the second lady had absented herself without leave, he thought there was no harm in seeking a third partner.—Here a smartly dressed female entered the Office, and it was whispered she was the third wife, which was perhaps the case, as the prisoner ceased to pursue the thread of his matrimonial maze.—Mr. Dyer; But how came you to think, that because one woman and you quarrelled, you were therefore justified in marrying another?—The Prisoner; Gentlemen, the fact was this: I thought it was understood between us that we were never to molest each other—she to have her way, and I mine.—Mr. Dyer: A pretty understanding, indeed! He was remanded.

Cure for Rheumatism.—A remedy for Rheumatism has been introduced into this country by Mr. Churchill, of Princes-street, Leicester-fields. It is termed *Acupuncturation*, and consists in cautiously inserting needles, to a given depth, into those muscular parts which are the seat of the disease. It has been long held in repute by the Chinese and the French, who have adopted it, and speak of it with praise. Mr. Churchill relates several cases in his own practice, in which it has been decidedly useful. It is said his Majesty consulted his physician on the propriety of adopting it in his own case. It appears also that Lady Burrell, daughter to the Earl of Egremont, witnessed its usefulness in the hands of Mr. Martin, of Horsham, in Sussex; and as it is represented as producing *no pain*, determined on having a needle introduced to her own person, to ascertain the fact, previously to recommending it to her father, who had been suffering from sciatica. The result was confirmatory of the assertion; for she described the sensation produced by it as resembling the drawing a needle across the hand so slightly as not to produce a scratch. The Earl had tried every remedy which could be suggested, without experiencing relief. He therefore submitted to an introduction of the needle, and in a few minutes was completely cured, and the next day able to go out shooting. At Brighton it was quite "town talk," and the remedy is much recommended by Sir M. Tierney.—*Bristol Observer.*

The exclusion of the ladies from the gallery of the House of Commons is thus accounted for;—A Bill being under discussion, which greatly affected the interests of a Noble family of high and extensive connections, the galleries were

daily crowded with the female relatives of the party, most of them, as may be easily imagined in full possession of the highest possible attractions, as youth, beauty, wit, &c. Upon which a Member got up and begged to put the question to the Speaker, whether the credit and character of the House did not most peremptorily require, that in all their deliberations they should be free from any *undue* or *extraordinary* influence, and whether any of that Honourable House could cast their eyes up to the galleries, and say that they were so at that moment. He should therefore move, that that bevy of beauties should immediately retire. The ladies obeyed and have never been admitted since in the same manner."

The Examiner, June 9.

The length of streets already lighted with gas in the metropolis is 215 miles! and the three principal companies light 39,504 public lamps, and consume annually about 33,158 chaldrons of coals.

A country schoolmaster lately proved the antiquity of stage-coaches by the following passage in Cæsar's Commentaries:—*Cæsar profectus est ab urbe* SUMMADILIGENTIA, the true sense of which evidently is—"Cæsar left the city on the top of the Diligence."

Mr. Owen, the Philanthropist, has, after several meetings held by adjournment in Dublin, and at which some opposition, not of a very manly or candid nature, was shown, succeeded in establishing a Society in Ireland, to be called "The Irish Philanthropic Society;" and Sir Capel Molyneux has announced his intention to appropriate a part of his estate in the County of Limerick towards the establishment of a village on Mr. Owen's plan.

The Leeds Mercury,—May 3.

Marshal de Bassompiere, in his Memoirs, says, that he was informed by the Duke of Epernon of Cardinal Richelieu's design to have him arrested. "On Feb. 24, 1631," continues he, "I rose before day, and burned more than *six thousand-letters*, which I had formerly received from different women, apprehending lest, if I were committed to prison and my house searched, something might be found to the prejudice of some person,—these being the only papers that could be injurious to any one."

Mr. Vansittart, previously to his elevation to the Upper House, as Lord Bexley, was for sometime deliberating by what title he should be designated. He had a predilection for one that might terminate in *mouth*, possibly from his partiality to Lord Sidmouth. Some one intimated that he might gratify his wish, and at the same time commemorate the county of his origin, by taking the title of *Van* Os. But this, though it went "trippingly on the tongue," was rejected, as of too foreign a sound. The difficulty was mentioned in conversation to Mr Canning, who suggested, that in compliment to his *arithmetical* tutor, he should take the title of COCKER-*mouth*.

A PLEASANT CLIMATE.—The following is the calendar of a Siberian or Lapland year:—June 23, snow melts; July 1, snow gone; July 9, fields quite green; July 17, plants at full growth; July 25, plants in flower; August 2, fruits ripe; August 10 plants shed their seed; August 18, snow, continuing from August 18 to June 23.

REVIEW OF NEW BOOKS.

Quentin Durward. By the Author of Waverley, &c. 3 Vols. Edinburgh, Constable & Co. London, Hurst & Co.

THE *first* volume of this work, dishonourably obtained (as we are assured,) has furnished some of the Journals set up in imitation of the *Literary Gazette*, with long articles, and a prolific cause for bragging of their priority of intelligence and immense circulation. Such priority far be it from us to contest—such circulation may it never be our lot to know; for we cannot steal, and to beg we should be ashamed. The homely adage of "the more haste the worst speed," has been completely verified in this instance; and though disgusted with the quackery which has made a moonshine mountain of a partial knowledge most equivocally obtained and discreditably used, we should evince a poor sense of the established character of our work with its extensive influence and consequent power, and strong suspicion of stupidity in the public, were we to employ more breath in blowing away these bubbles.

A copy of Quentin Durward enables us to lay before our readers a complete notice of that publication, beyond the first volume of which (however obtained) not a syllable has yet appeared, except the general sketch which was inserted in our last Number. That briefanalysis renders it unnecessary for us to go into a further detail of the story and we shall now have little more to do than lead our friends through the pleasant path of quotation.

An admirable Introduction, in the author's very best manner, brings us to this novelty from his pen,—a picture of foreign manners towards the end of the fifteenth century. And well is it contrasted with this introductory outline of those of the beginning of the nineteenth, in which the interesting portrait of a restored Emigrant of the old Court is one of the happiest ever drawn even by the master of Waverley. The nature and humour of this outwork would detain us, had we not ample occasion to adduce similar qualities in the main fortress: suffice it to say, that in the ruined Chateau of Hautlieu the history of Quentin Durward is *said* to have been found.

The hero, a young Scotsman of the shire of Angus (or Hanguissé, as the Marquis persists in calling it,) and the only surviving branch of a gentle family, whom the Ogilvies had harried, exterminated in a feud, arrives in France in quest of happier fortunes; but previously to entering on his adventures, we have a finely written view of the state of that country, and of the characters of Louis XI. and Charles Duke of Burgundy. It is the hap of Quentin to encounter the former near Plessis-les-Tours, and to ingratiate himself into his favour, as far as an ingenuous youth could be prized by a tortuous politician. At first Louis suffers the adventurer to be nearly drowned, and then succours him as Maitre Pierre, a substantial citizen; while his attendant (Tristain, his provost marshal) passes for a still lower character. He is carried to an inn, and kindly entertained by the king, who discovers that he is in search of service, and looks forward to a maternal uncle, one of his Majesty's brave Scottish archers, and named Ludovic Leslie, or le Balafré, from a scar on his face. At this inn Quentin is blessed with a sight of Isabelle, Countess of Croye, a vassal of the Duke of Burgundy's, but who, with her aunt Hameline had fled to Louis, to avoid being forced into a hated marriage by that hot and peremptory Lord.

The next character who appears on the stage is his uncle Ludovic; and a portion of the author's description of the interview between the relations is well worth citing as an example of the work:

"The cavalier who awaited Quentin Durward's descent into the apartment where he had breakfasted, was one of those of whom Louis XI. had long since said, that they held in their hands the fortune of France, as to them were entrusted the direct custody and protection of the royal person. - - -

- - - - "Each of them ranked as a gentleman in place and honour; and their near approach to the King's person gave them dignity in their own eyes, as well as in those of the nation of France. They were sumptuously armed, equipped, and mounted; and each was entitled to allowance for a squire, a valet, a page, and two yeomen, one of whom was termed *coutelier*, from the large knife which he wore to dispatch those whom in the *melée* his master had thrown to the ground. With these followers, and a corresponding equipage, an Archer of the Scottish Guard was a person of quality and importance; and vacancies being generally filled up by those who had been trained in the service as pages or valets, the cadets of the best Scottish families were often sent to serve under some friend and relation in those capacities, until a chance of preferment should occur.

"The coutelier and his companion, not being noble or capable of this promotion, were recruited from persons of inferior quality; but as their pay and appointments were excellent, their masters were easily able to select from among their wandering countrymen the strongest and most courageous to wait upon them in that capacity.

"Ludovic Leslie, or, as we shall more frequently call him, Le Balafré, by which name he was generally known in France, was upward of six feet high, robust, strongly compacted in person, and hard-favoured in countenance, which latter attribute was much increased by a large and ghastly scar, which, beginning on his forehead, and narrowly missing his right eye, had laid bare the cheekbone, and descended from thence almost to the tip of his ear, exhibiting a deep seam, which was sometimes scarlet, sometimes purple, sometimes blue, and sometimes approaching to black; but always hideous, because at variance with the complexion of the face in whatever state it chanced to be, whether agitated or still flushed with unusual passion, or in its ordinary state of weather-beaten and sun-burnt swarthiness.

"His dress and arms were splendid. He wore his national bonnet, crested with a tuft of feathers, and with a Virgin Mary of massive silver for a brooch. These had been presented to the Scottish Guard, in consequence of the King, in one of his fits of superstitious piety, having devoted the swords of his guard to the service of the Holy Virgin, and, as some say, carried the matter so far as to draw out a commission to Our Lady as their Captain General. The Archer's gorget, arm-pieces, and gauntlets, were of the finest steel, curiously inlaid with silver, and his hauberk, or shirt of mail, was as clear and bright as the frost-work of a winter morning upon fern or brier. He wore a loose surcoat, or cassock, of rich blue velvet, open at the sides like that of a herald, with a large white cross of embroidered silver bisecting it both before and behind—his knees and legs were protected by hose of mail, and shoes of steel—a broad strong poniard (called the *Mercy of God*) hung by his right side—the bauldrick for his two handed sword, richly embroidered, hung upon his left shoulder; but

for convenience, he at present carried in his hand that unwieldy weapon, which the rules of his service forbade him to lay aside.

"Quentin Durward, though, like the Scottish youth of the period, he had been early thought to look upon arms and war, though he had never seen a more martial-looking, or more completely equipped and accomplished man-at-arms, than now saluted him in the person of his mother's brother, called Ludovic with the Scar, or Le Balafrè; yet he could not but shrink a little from the grim expression of his countenance, while, with its rough moustachios, he brushed first the one and then the other cheek of his kinsman, welcomed his fair nephew to France, and, in the same breath, asked what news from Scotland.

"'Little good, dear uncle,' replied young Durward; 'but I am glad that you know me so readily.'

"'I would have known thee, boy in the *landes* of Bourdeaux, had I met thee marching there like a crane on a pair of stilts. But sit thee down—sit thee down—if there is sorrow to hear of, we will have wine to make us bear it.—Ho! old Pinck-Measure, our good host, bring us of thy best, and that in an instant.'

"The well-known sound of the Scottish-French was as familiar in the taverns near Plessis, as that of the Swiss-French in the modern *guinguettes* of Paris; and promptly—ay, with the promptitude of fear and precipitation, was it heard and obeyed. A flagon of champagne soon stood before them, of which the elder took a draught, while the nephew helped himself only to a moderate sip, to acknowledge his uncle's courtesy saying, in excuse, that he had already drank wine that morning.

"'That had been a rare apology in the mouth of thy sister, fair nephew, said Le Balafré; 'you must fear the wine-pot less, if you would wear beard on your face, and write yourself soldier. But, come—come—unbuckle your Scottish mai-bag—give us the news of Glen-houlakin—how doth my sister?

"'Dead, fair uncle,' answered Quentin, sorrowfully.

"'Dead!' echoed his uncle, with a tone rather marked by wonder than sympathy—'why, she was five years younger than I, and I was never better in my life. Dead! the thing is impossible. I never have so much as a headache, unless after revelling out my two or three days' furlow with the brethren of the joyous science—and my poor sister is dead!—And your father, fair nephew, hath he married again?'

"And, ere the youth could reply, he read the answer in his surprise at the question, and said, 'What, not—I would have sworn that Allan Durward was no man to live without a wife. He loved to have his house in order—loved to look on a pretty woman too; and was somewhat strict in life withal—matrimony did all this for him. Now, I care little about these comforts; and I can look on a pretty woman without thinking on the sacrament of wedlock—I am scarce holy enough for that.'

"'Alas! dear uncle, my mother was left a widow a year since, when Glen-houlakin was harried by the Ogilvies. My father, and my two uncles, and my two elder brothers, and seven of my kinsmen, and the harper, and the tasker, and some six more of our people, were killed in defending the castle; and there is not a burning hearth or a standing stone in all Glen-houlakin.'

"'Cross of Saint Andrew!' said Le Balafré; 'that is what I call an onslaught. Ay, these Ogilvies were ever but sorry neighbours to Glen-houlakin—an evil chance it was; but fate of war—fate of war.—When did this mishap befal, fair nephew?' With that he took a deep draught of wine in lieu, and shook his head with much solemnity, when his kinsman replied, that his family had been destroyed upon the festival of Saint Jude last bye-past.

"'Look ye there,' said the soldier; 'I said it was all chance—on that very day I and twenty of my comrades carried the Castle of Roche-noir by storm, from Amaury Bras de-fer, a captain of free lances, whom you must have heard of. I killed him on his own threshold, and gained as much gold as made this fair chain, which was once twice as long as it now is—and that minds me to send part of it on an holy errand.—Here, Andrew—Andrew!'

"Andrew, his yeoman, entered, dressed like the Archer himself in the general equipment, but without the armour for the limbs,—that of the body more coarsely manufactured—his cap without a plume, and his cassock made of serge, or coarse cloth, instead of rich velvet. Untwining his gold chain from his neck, Balafré twisted off, with his firm and strong-set teeth, about four inches from the one end of it, and said to his attendant, 'Here, Andrew, carry this to my gossip, jolly Father Boniface, the monk of Saint Martin's—greet him well from me, by the same token that he could not say God save ye when we last parted at midnight—Tell my gossip that my brother and sister, and some others of my house, are all dead and gone, and I, pray him to say masses for their souls as far as the value of these links will carry him, and to do on trust what else may be necessary to free them from Purgatory. And hark ye, as they were just-living people, and free from all heresy, it may be that they are well nigh out of limbo already, so that a little matter may have them free of the fetlocks; and in that case, look ye, ye will say I desire to take out the gold in curses upon a generation called the Ogilvies, in what way soever the church may best come at them. You understand all this, Andrew?'

"The coutelier nodded.

"'Then look that none of the links find their way to the wine-house ere the Monk touches them; for if it so chance, thou shalt taste of saddle-girth and stirrup-leather, till thou art as raw as Saint Bartholomew.—Yet hold, I see thy eye has fixed on the wine measure, and thou shalt not go without tasting.'

"So saying, he filled him a brimful cup, which the coutelier drank off, and retired to do his patron's commission.

"'And now, fair nephew, let us hear what was your own fortune in this unhappy matter.'

"'I fought it out among those who were older and stouter than I was, till we were all brought down,' said Durward, 'and I received a cruel wound.'

"'Not a worse slash than I received ten years since myself,' said Le Balafré.—'Look at this now, my fair nephew,' tracing the dark crimson gash which was imprinted on his face—'An Ogilvy's sword never ploughed so deep a furrow.'

"'They ploughed deeply enough,' answered Quentin, sadly; 'but they were tired at last, and my mother's entreaties procured mercy for me, when I was found to retain some sparks of life; but although a learned monk of Aberbrothock, who chanced to be our guest at the fatal time, and narrowly escaped being killed in the fray, was permitted to bind my wounds, and finally to remove me to a place of safety, it was only on promise, given both by my mother and him, that I should become a monk.'"

For this vocation, however, he was unfit; and after being taught the rare accomplishments of reading and writing, set forth, as shown, to push his fortunes. There he prospers, for he acts bravely and prudently; saves the King at a boar-hunt, is enrolled among the Scots archers of his guard, and employed on matters of the utmost pith and moment. In the end of the first volume, Crevecœur, a brave Burgundian ambassador, delivers a hostile message from his master the Duke; but Louis temporizes, and to avoid one part of the ground of quarrel, entrusts Quentin with a charge of the ladies, Hameline and Isabelle, to convey them to the Bishop of Liege for protection, while in reality he plans their being seized by William de la Marck, a lawless warrior, called the Boar of the Ardennes, and disposed of by that savage.

The characters introduced in this volume are finely delineated. Louis, and his ministers or adherents, Cardinal Balue, Oliver le Dain (his barber,) Tristan (his executioner,) and his satelite hangmen, Trois-Eschelles and Petit-Ander, are not only strikingly identified but the Duke of Orleans, the brave Dunois, Joan, the King's daughter, Craford, the Captain of the Guard, Isabelle of Croye, and certain Bohemian vagabonds who perform no unimportant parts in the drama, are all most characteristically woven into the web of this history so unlike a fiction.

The second volume is nearly occupied with the journey of Quentin and his beloved charge to Liege, after the superstitious King has consulted his astrologer Galleois on the probable issue of that step. Our hero avoids the snare laid for them on the route, and overmatches his treacherous guide, one of the Bohemians whom we have mentioned. A short bit of colloquy on the way may serve as a characteristic sketch of those rude times. Isabelle says—"God knows, I never wished—to occasion war betwixt France and my native Burgundy, or that lives should be lost for such as me. I only implored permission to retire to the Convent of Marmoutheir, or to any other holy sanctuary."

"'You spoke then like a fool, my cousin,' answered the elder lady, 'and not like a daughter of my noble brother. It is well there is still one alive, who hath some of the spirit of the noble House of Croye. How should a high-born lady be known from a sun-burnt milk-maid, save that spears are broken for the one, and only hazel-poles for the other? I tell you, maiden, that while I was in the very earliest bloom, scarcely older than yourself, the famous Passage of Arms at Hafflingham was held in my honour; the challengers were four, the assailants so many as twelve. It lasted three days; and cost the lives of two adventurous knights, the fracture of one back bone, one collar-bone, three legs, and two arms, besides flesh-wounds and bruises beyond the heralds' counting; and thus have the ladies of our House ever been

honoured. Ah, had you but half the heart of your noble ancestry, you would find means at some court, where ladies' love and fame in arms are still prized, to maintain a tournament, at which your hand should be the prize, as was that of your great-grandmother of blessed memory, at the spear-running of Strasburgh; and thus should gain the best lance in Europe, to maintain the rights of the House of Croye, both against the oppression of Burgundy and the policy of France.'

"'But, fair kinswoman,' answered the younger Countess, 'I have been told by my old nurse, that although the Rhingrave was the best lance at the great tournament at Strasburgh, and so won the hand of my respected grandmother, yet the match was no happy one, as he used often to scold, and sometimes to beat, my great-grandmother of blessed memory.'

"'And wherefore not?' said the elder Countess, in her romantic enthusiasm for the profession of chivalry; 'why should those victorious arms, accustomed to blows abroad, be bound to restrain their energies at home? A thousand times rather would I be beaten twice a-day, by a husband whose arm was as much feared by others as by me, than be the wife of a coward, who dared neither to lift hand to his wife, nor to any one else!"

"'I should wish you joy of such a restless mate, fair aunt,' replied Isabelle, 'without envying you; for if broken bones be lovely in tourneys, there is nothing less amiable in ladies' bower.'

"'Nay, but the beating is no necessary consequence of wedding with a knight of fame in arms; though it is true that our ancestor of blessed memory, the Rhingrave Gottried, was something rough-tempered, and addicted to the use of Rhein-wein.—The very perfect knight is a lamb among ladies, and a lion among lances. There was Thibault of Montigni—God be with him!—he was the kindest soul alive, and not only was he never so discourteous as to lift hand against his lady, but, by our good dame, he who beat all enemies without doors, found a fair foe could labour him within.—Well, 'twas his own fault—he was one of the challengers at the Passage of Haflinghem, and so well bestirred himself, that, if it had pleased Heaven, and your grandfather, there might have been a lady of Montigni, who had used his gentle nature more gently.'

"The Countess Isabelle, who had some reason to dread this Passage of Haflinghem, it being a topic upon which her aunt was at all times very diffuse, suffered the conversation to drop; and Quentin, with the natural politeness of one who had been gently nurtured, dreading lest his presence might be a restraint on their conversation, rode forward to join the guide, as if to ask him some questions concerning their route."

A graver theme soon occupied them. Orleans, who could not love the match provided for him by the King, could love Isabelle, and follows her escort. Quentin, however, unhorses him, and sustains a noble combat with his companion the renowned Dunais; till a body of the archers ride up to his relief. The assailants are carried off prisoners, and our victorious Scot pursues his dangerous way, under uncertain guidance, as the following extract will show:

"While he hesitated whether it would be better to send back one of his followers, he heard the blast of an horn, and looking in the direction from which the sound came, beheld a horseman riding very fast towards them. The low size, and wild, shaggy, untrained state of the animal, reminded Quentin of the mountain breed of horses in his own country; but this was much more finely limbed, and, with the same appearance of hardness, was more rapid in its movements. The head particularly, which in the Scottish poney, is often lumpish and heavy, was small and well placed in the neck of this animal, with thin jaws, full sparkling eyes, and expanded nostril.

"The rider was even more singular in his appearance than the horse which he rode, though that was extremely unlike the horses of France. Although he managed his palfrey with great dexterity, he sat with his feet in broad stirrups, something like a shovel, so short that his knees were well nigh as high as the pommel of his saddle. His dress was a red turban of small size, in which he wore a sullied plume, secured by a clasp of silver; his tunic, which was shaped like those of the Estradiots, a sort of troops whom the Venetians at that time levied in the provinces, on the eastern side of their gulf, was green in colour, and tawdrily laced with gold; he wore very wide drawers trowsers of white, though none of the cleanest, which gathered beneath the knee, and swarthy legs were quite bare, unless for the complicated laces which bound a pair of sandals on his feet; he had no spurs, the edge of his large stirrups being so sharp as to serve to goad the horse in a very severe manner. In a crimson sash this singular horseman wore a dagger on the right side, and on the left a short crooked Moorish sword, and by a tarnished baldrick over the shoulder hung the horn which announced his approach. He had a swarthy and sun-burnt visage, with a thin beard, and piercing dark eyes, a well-formed mouth and nose, and other features which might have been pronounced handsome, but for the black elf-locks which hung around his face, and the air of wildness and emaciation, which rather seemed to indicate a savage than a civilized man.

"Quentin rode up to the Bohemian, and said to him, as he suddenly assumed his proper position on the horse, 'Methinks, friend, you will prove but a blind guide, if you look at the tail of your horse rather than his ears.'

"'And if I were actually blind,' answered the Bohemian, 'I could guide you through any county in this realm of France, or in those adjoining to it.'

"'Yet you are no Frenchman born,' said the Scot.

"'I am not,' answered the guide.

"'What countrymen, then, are you?' demanded Quentin.

"'I am of no country,' answered the guide.

"'How! of no country?' repeated the Scot.

"'No,' answered the Bohemian, 'of none. I am a Zingaro, a Bohemian, an Egyptian, or whatever the Europeans, in their different languages, may chuse to call our people; but I have no country.'

"'Are you a Christian?' asked the Scotchman.

"The Bohemian shook his head.

"'Dog,' said Quentin, (for there was little toleration in the spirit of Catholicism in those days,) 'doest thou worship Mahoun?'

"'No,' was the indifferent and concise answer of the guide, who neither seemed offended nor surprised at the young man's violence of manner.

"'Are you a Pagan then, or what are you?'

"'I have no religion,' answered the Bohemian.

"Durward started back; for, though he had heard of Saracens and Idolaters, it had never entered into his ideas or belief, that any body of men could exist who practised no mode of worship whatsoever. He recovered from his astonishment, to ask where his guide usually dwelt.

"'Wherever I chance to be for the time,' replied the Bohemian. 'I have no home.'

"'How do you guard your property?'

"'Excepting the clothes which I wear, and the horse I ride on, I have no property.'

"'Yet you dress gaily, and ride gallantly,' said Durward. 'What are your means of subsistence?'

"'I eat when I am hungry, drink when I am thirsty, and have no other means of subsistence than chance throws in my way,' replied the vagabond.

"'Under whose laws do you live?'

"'I acknowledge obedience to none, but as it suits my pleasure,' said the Bohemian.

"'Who is your leader, and commands you?'

"'The father of our tribe—if I chuse to obey him,' said the guide—'otherwise I have no commander.'

"'You are then,' said the wondering querist, 'destitute of all that other men are combined by—you have no law, no leader, no settled means of subsistence, no house, or home. You have, may Heaven compassionate you, no country—and, may Heaven enlighten and forgive you, you have no God!' What is it that remains to you, deprived of government, domestic happiness, and religion?'

"'I have liberty,' said the Bohemian—'I crouch to no one—obey no one—respect no one.—I go where I will—live as I can—and die when my day comes.'

"'But you are subject to instant execution, at the pleasure of the Judge.'

"'Be it so,' returned the Bohemian; 'I can but die so much the sooner.'

"'And to imprisonment also,' said the Scot; and where, then, is your boasted freedom?'

"'In my thoughts,' said the Bohemian, 'which no chains can bind; while yours, even when your limbs are free, remain fettered by your laws and your superstitions, your dreams of local attachment, and your fantastic visions of civil policy. Such as I are free in spirit when our limbs are chained—You are imprisoned in mind, even when your limbs are most at freedom.'

"'Yet the freedom of your thoughts,' said the Scot, 'relieves not the pressure of the gyves on your limbs.'

"'For a brief time that may be endured; and if within that period I cannot extricate myself, and fail of relief from my comrades, I can always die, and death is the most perfect freedom of all.'

"There was a deep pause of some duration which Quentin at length broke by resuming his queries.

"'Yours is a wandering race, unknown to the nations of Europe—Whence do they derive their origin?'

"'I may not tell you,' answered the Bohemian.

" 'When will they relieve this kingdom from their presence, and return to the land from whence they came?' said the Scot.

" 'When the day of their pilgrimage shall be accomplished,' replied his vagrant guide.

" 'Are you not sprung from those tribes of Israel which were carried into captivity beyond the great river Euphrates?' said Quentin, who had not forgotten the lore which had been taught him at Aberbrothock.

" 'Had we been so,' answered the Bohemian, 'we had followed their faith, and practised their rites.'

" 'What is thine own name?' said Durward.

" 'My proper name is only known to my brethren—The men beyond our tents call me Hayraddin Maugrabin, that is, Hayraddin the African Moor.'

" Thou speakest too well for one who hath lived always in thy filthy horde,' said the Scot.

" 'I have learned some of the knowledge of this land,' said Hayraddin.—'When I was a little boy, our tribe was chased by the hunters after human flesh. An arrow went through my mother's head, and she died. I was entangled in the blanket on her shoulders, and was taken by the pursuers. A priest begged me from the Provost's archers, and trained me up in Frankish learning for two or three years.'

" 'How came you to part with him?' demanded Durward.

" 'I stole money from him—even the God which he worshipped,' answered the Hayraddin, with perfect composure; 'he detected me, and beat me—I stabbed him with my knife, fled to the woods, and was again united to my people.'

" 'Wretch!' said Durward, 'did you murder your benefactor?'

" 'What had he to do to burden me with his benefits?—The Zingaro boy was no house-bred cur to dog the heels of his master and crouch beneath his blows, for scraps of food—He was the imprisoned wolf-whelp, which at the first opportunity broke his chain, rended his master, and returned to his wilderness.'

" There was another pause, when the young Scot, with a view of still farther investigating the character and purpose of this suspicious guide, asked Hayraddin, 'Whether it was not true that his people, amid their ignorance, pretended to a knowledge of futurity, which was not given to the sages, philosophers and divines, of more polished society?'

" We pretend to it,' said Hayraddin, 'and it is with justice,'

" 'How can it be that so high a gift is bestowed on so abject a race?' said Quentin.

" 'Can I tell you?' answered Hayraddin—'Yes, I may indeed; but it is when you shall explain to me why the dog can trace the footsteps of a man, while man, the nobler animal, hath no powers, which seem to you so wonderful, are instinctive in our race. From the lines on the face and on the hand, we can tell the future fate of those who consult us, even as surely as you know from the blossom of the tree in spring, what fruit it will bear in the harvest.'

The man who besets their way, in correspondence with this strange being is still more hateful:

" 'His name is William de la Marck.'

" 'Called William with the Beard,' said the young Scotchman, 'or the Wild Boar of Ardennes?'

" 'And rightly so called, my son,' said the Prior; 'because he is as the wild boar of the forest, which treadeth down with his hoofs and rendeth with his tusks. And he hath formed to himself a band of more than a thousand men, all, like himself, contemners of civil and ecclesiastical authority, and holds himself independent of the Duke of Burgundy, and maintains himself and his followers by rapine and wrong, without distinction, upon Churchman and layman. *Imposuit manus in Christos Domini*,—he hath stretched forth his hand upon the anointed of the Lord, regardless of what is written,—'Touch not mine anointed, and do my prophets no wrong.'—Even to our poor house did he send for sums of gold and sums of silver, as a ransom for our lives, and those of our brethren; to which we returned a Latin supplication, stating our inability to answer his demand, and exhorting him in the words of the preacher, *Ne moliaris amico tuo malum, cum habet in te fiduciam*. Nevertheless, this Gulielmus Barbatus, this William de la Marck, as completely ignorant of humane letters as of humanity itself, replied, in his ridiculous jargon, '*Si non payatis, brulabo monasterium vestrum.*'

" 'Of which rude Latin, however, you, my good father, were at no loss to conceive the interpretation?'

" 'Alas, my son,' said the Prior, 'Fear and Necessity are shrewd interpreters; and we were obliged to melt down the silver vessels of our altar to satisfy the rapacity of this cruel chief—May heaven requite it to him seven-fold! *Pereat improbus—Amen, amen, anathema esto!*"

The loves of Quentin and Isabelle grow on this uneasy journey; but greater peril awaits them after they are safely lodged with the Bishop of Liege, whose castle is attacked in the dead of night by the Boar of Ardennes and the Liegeois, and its master barbarously murdered. Quentin, by courage, skill, and good luck, succeeds in rescuing Isabelle. In the midst of the carnage he penetrates to her oratory—

--"Where a female figure, which had been kneeling in agonizing supplication before the holy image, now sunk at length on the floor, under the new terrors implied in this approaching tumult. He hastily raised her from the ground, and, joy of joys! it was she whom he sought to save—the Countess Isabelle. He pressed her to his bosom—he conjured her to awake, entreated her to be of good cheer—for that she was now under the protection of one who had heart and hand enough to defend her against armies.

"'Durward,' she said, as she at length collected herself,' is it indeed you?—then there is some hope left. I thought all living and mortal friends had left me to my fate. Do not again abandon me.'

"'Never—never,' said Durward. 'Whatever shall happen—whatever danger shall approach, may I forfeit the benefits purchased by yonder blessed sign, if I be not the sharer of your fate until it is again a happy one!'"

Through fortuitous circumstances, too long for detail, Quentin finds allies in Pavillon and his party; but they cannot quit the castle without permission from De la Marck, before whom they go.

" At the head of the table sat, in the Bishop's throne and state, which had been hastily brought thither his great council chamber, the redoubted Boar of Ardennes himself, well deserving that dreaded name, which he affected to delight, and which he did as much as he could think of to deserve. His head was unhelmeted, but he wore the rest of his ponderous and bright armour, which, indeed, he rarely laid aside. Over his shoulders hung a strong surcoat, made of the dressed skin of a huge wild boar, the hoofs being of solid silver and the tusks of the same. The skin of the head was so arranged, that, drawn over the casque, when the Baron was armed, or over his bare head, in the fashion of a hood, as he often affected when the helmet was laid aside, and as he now wore it, the effect was that of a grinning, ghastly monster; and yet the countenance which it overshadowed scarce required such horrors to improve those which were natural to its ordinary expression.

" The upper part of De la Marck's face, as Nature had formed it, almost gave the lie to his character; for though his hair, when uncovered resembled the rude and wild bristles of the hood he had drawn over it, yet an open, high, and manly forehead, broad ruddy cheeks, large sparking, light-coloured eyes, and a nose hooked like the beak of the eagle, promised something valiant and generous; yet the effect of these more favourable traits was entirely overpowered by his habits of violence and insolence which, joined to debauchery and intemperance, had stamped upon the features a character inconsistent with the rough gallantry which they would otherwise have exhibited. The former had, from habitual indulgence, swoln the muscles of the cheeks, and those around the eyes, in particular the latter; evil practices and habits had dimmed the eyes themselves, reddened the part of them that should have been white, and given the whole face a hideous resemblance of the monster which it was the terrible Baron's pleasure to resemble. But, from an odd sort of contradiction, De la Marck, while he assumed in other respects the appearance of the Wild Boar, and even seemed pleased with the name, yet endeavoured, by the length and growth of his beard, to conceal the circumstance that had originally procured him that denomination. This was an unusual thickness and projection of the mouth and upper jaw, which, with the huge projecting side-teeth, gave that resemblance to the bestial creation, which, joined to the delight that De la Marck had in haunting the forest so called, originally procured for him the name of the Boar of Ardennes. The beard, broad, grisly, and uncombed, neither concealed the natural horrors of the countenance, nor dignified its brutal expression.

" The soldiers and officers sat around the table, intermixed with the men of Liege, some of them of the very lowest description; among whom Nikkel Blok the butcher, placed near De la Marck himself, was distinguished by his tucked up sleeves, which displayed arms smeared to the elbows with blood, as was the cleaver which lay on the table before him. The soldiers wore, most of them, their beards long and grisly, in imitation of their leader; and their hair plaited and turned upwards, in the manner that might best improve the natural ferocity of their appearance; and intoxicated, as many of them seemed to be, partly with the sense of triumph, and partly with the long libations of wine which they had been quaffing, presented a spectacle at once hideous and disgusting. The language which they held, and the songs which they sung, without even pretending to pay each other the compliment of listening, were so full of license and blasphemy, that Quentin blessed God that the extremity of the noise prevented them from being intelligible to his companion. - - -

"The preparation for the feast had been as disorderly as the quality of the company. The whole of the Bishop's plate—nay, even that belonging to the Church, for the Boar of Ardennes regarded not the imputation of sacrilege—were mingled with black jacks, or huge tankards made of leather, and drinking-horns of the most ordinary description.

"One circumstance of horror remains to be added and accounted for: and we willingly leave the rest of the scene to the imagination of the reader. Amidst the wild license assumed by the soldiers of De la Marck, one who was excluded from the table, (a Lanz-knetch, remarkable for his courage and for his daring behaviour during the storm of the evening,) had impudently snatched up a large silver goblet, and carried it off, declaring it should atone for his loss of the share of the feast. The leader laughed till his sides shook at a jest so congenial to the character of the company; but when another, less renowned, it would seem, for audacity in battle, ventured on using the same freedom, De la Marck instantly put a check to a jocular practice, which would soon have cleared his table of all the more valuable decorations.—'Ho! by the spirit of the thunder!' he exclaimed, 'those who dare not be men when they face the enemy, must not pretend to be thieves among their friends. What! thou frontless dastard thou—thou who didst wait for opened gate and lowered bridge, when Conrade Horst forced his way over moat and wall, must *thou* be malapert?—Knit him up to the staunchions of the hall-window!—He shall beat time with his feet, while we drink a cup to his safe passage to the devil.'

"The doom was scarce sooner pronounced than accomplished; and in a moment the wretch wrested out his last agonies, suspended from the iron bars. His body still hung there when Quentin and the others entered the hall, and, intercepting the pale moonbeam, threw on the Castle-floor an uncertain shadow, which, dubiously, yet fearfully, intimated the nature of the substance that produced it.

"When the Syndic Pavillon was announced from mouth to mouth in this tumultuous meeting, he endeavoured to assume, in right of his authority, and influence, an air of importance and equality which a glance at the fearful object at the window, and at the wild scene around him, rendered it very difficult for him to sustain, notwithstanding the exhortations of Peter, who whispered in his ear, with some perturbation, 'Up heart, master, or we are but gone mean."

"The Syndic maintained his dignity, however, as well as he could in a short address, in which he complimented the company upon the great victory gained by the soldiers of De la Marck and the good citizens of Liege.

"'Ay,' answered De la Marck, sarcastically, 'we have brought down the game at last quoth my lady's brach to the wolf-hound. But ho! Sir Burgomaster, you come like Mrs, with Beauty by your side. Who is this fair one?—Unveil, unveil—no woman calls her beauty her own to-night.'

"'It is my daughter, noble leader,' answered Pavillon; and I am to pray your forgiveness for her wearing a veil. She has a vow for that effect to the Three Blessed Kings.'

"'I will absolve her of it presently,' said De la Marck; for here, with one stroke of a cleaver, will I consecrate myself Bishop of Liege; and I trust one living bishop is worth three dead kings.'

There was a shouldering among the guests; for the community of Liege, and even some of the rude soldiers, reverenced the Kings of Cologne, as they were commonly called, though they respected nothing else.

"'Nay, I mean no treason against their defunct majesties,' said De la Marck; 'only bishop I am determined to be. A prince both secular and ecclesiastical, having power to bind and loose, will best suit a band of reprobates such as you, to whom no one else would give absolution.—But come hither, noble Burgomaster—sit beside me, when you shall see me make a vacancy for my own preferment.—Bring in our predecessor in holy seat.'

"A bustle took place in the hall, while Pavillon excusing himself from the proffered seat of honour, placed himself near the bottom of the table, his followers keeping close behind him, not unlike a flock of sheep which may be sometimes seen to assemble in the rear of an old bell-weather, who is from office and authority, judged by them to have rather more courage than themselves. Near the spot sat a very handsome lad, a natural son, as was said, of the ferocious De la Marck, and concerning whom he sometimes shewed affection, and even tenderness. The mother of the boy, a beautiful concubine, had perished by a blow dealt her by the ferocious leader in a fit of drunkenness or jealousy; and her fate had caused her tyrant as much remorse as he was capable of feeling. His attachment to the surviving orphan might be partly owing to these circumstances. Quentin, who had learned this point of the leader's character from the old priest, planted himself as close as he could to the youth in question; determined to make, in some way or other, either a hostage or a protector, should other means of safety fail them.

----"The Bishop of Liege, Louis of Bourben, was dragged into the hall of his own palace by the brutal soldiery. The dishevelled state of his hair, beard, and attire, bore witness to the ill-treatment he had already received; and some of his sacerdotal robes hastily flung over him, appeared to have been put on in scorn and ridicule of his quality and character. By good fortune, as Quentin was compelled to think it the Countess Isabelle, whose feelings at seeing her protector in such an extremity might have betrayed her own sacred and compromised safety, was so situated as neither to hear nor see what was about to take place; and Durward sedulously interposed his own person before her, so as to keep her from observing alike, and from observation.

"The scene which followed was short and fearful. When the unhappy Prelate was brought before the footstool of the savage leader, although in former life only remarkable for his easy and good-natured temper, he shewed in this extremity a sense of his dignity and noble blood, well becoming the high race from which he was descended. His look was composed and undismayed; his gesture, when the rude hands which dragged him forward were unloosed was noble and at the same time resigned, somewhat between the bearing of a feudal noble and of a Christian martyr; and so much was even De la Marck himself staggered by the firm demeanour of his prisoner, and recollection of the early benefits he had received from him, that he seemed irresolute; cast down his eyes, and it was not untill he had emptied a large goblet of wine, that, resuming his haughty insolence of look and manner, he thus addressed his unfortunate captive:—'Louis of Bourbon,' said the truculent soldier, drawing hard his breath, clenching his hands, setting his teeth, and using the other mechanical action to rouse up and sustain his native ferocity of temper—'I sought your friendship, and you rejected mine. What would you now give that it had been otherwise?—Nikkel, be ready.'

"The butcher rose, seized his weapon, and stealing round behind De la Marck's chair, stood with it uplifted in his bare and sinewy arms.

"'Look at that man, Louis of Bourbon,' said De la Marck again—"What terms wilt thou now offer, to escape this dangerous hour?'

"The Bishop cast a melancholy but unshaken look upon the grisly satellite, who seemed prepared to execute the will of the tyrant, and then he said with firmness, 'Hear me, William de la Marck; and good men all, if there be any here who deserve that name, hear the only terms I can offer to this ruffian.—William de la Marck, thou hast stirred up to sedition an imperial city—hast assaulted and taken the palace of a Prince of the Holy German Empire—slain his people—plundered his goods—maltreated his person;—for this thou art liable to the Ban of the Empire—hast deserved to be declared outlawed and fugitive, landless and rightless. Thou hast done more than all this. More than mere human laws hast thou broken—more than mere human vengeance hast thou deserved. Thou hast broken into the sanctuary of the Lord—laid violent hands upon a Father of the Church—defiled the house of God with blood and rapine, like a sacrilegious rober——'

"'Hast thou yet done?' said de la Marck, fiercely interrupting him, and stamping with his foot.

"'No, answered the Prelate, 'for I have not yet told thee the terms which you demanded to hear from me.'

"'Go on,' said De la Marck;' and let the terms please me better than the preface, or woe to thy grey head!' And flinging himself back in his seat, he grinded his teeth, till the foam flew from his lips as from the tusks of the savage animal whose name and spoils he wore.

"'Such are thy crimes,' resumed the Bishop, with calm determination;' now hear the terms, which, as a merciful Prince and a Christian Prelate, setting aside all personal offence, forgiving each peculiar injury, I condescend to offer. Piling down thy leading-staff—renounce thy command—unbind thy prisoners—restore thy spoil—distribute what else thou hast of goods, to relieve those whom thou hast made orphans and widows—array thyself in sackcloth and ashes—take a palmer's staff in thy hand, and go on pilgrimage to Rome, and we will ourselves be intercessors for thee with the Imperial Chamber at Ratisbon for thy life, with our Holy Father the Pope for thy miserable soul.'

"While Louis of Bourbon proposed these terms, in a tone as decided as if he still occupied his episcopal throne, and as if the usurper kneeled a suppliant at his feet, the tyrant slowly raised himself in his chair; the amazement with which he was at first filled giving way gradually to rage, until, as the Bishop ceased, he looked to Nikkel Blok, and raised his finger, without speaking a word. The ruffian struck, as if he had been doing his office in the common shambles, and the murdered Bishop sunk, without a groan, at the foot of his own episcopal throne. The Liegeois, who were not prepared for so horrible a catastrophe, and who had expected to hear the conference end in some terms of accommodation, started up unanimously with cries of execration, mingled with shouts of vengeance."

A parley ensues, and our hero's party are extricated, with the close of volume 11. Before proceeding to the 3d, we may observe, as critics, that the beautiful style and masterly touches of the author are so conspicuous in this volume as to render the story a secondary consideration. These are the true signs of the genius which causes the works of the author of Waverley to be so universally prized; and yet they are such as do not admit of our particularizing them.

Flying from Liege, Quentin and Isabelle are taken prisoners by Crevecœur, who is on an incursion into Brabant. The lady is left at Charleroi, and her knight carried prisoner to Peronne, where, at the court of Charles the Bold, he most unexpectedly finds Louis XI. a voluntary visitor. Here matters had gone on as smoothly as could be expected between the politic King and his audacious vassal; but the news of the murder of the Bishop of Liege throws all into flame. This act of his quondam friends is imputed to Louis, and his headstrong rival imprisons his guest—they are at an entertainment when the tidings arrive. Louis is sent to a gothic keep, where Charles the Simple was "done to death," and in his agony here offered up a curious prayer—

"He paced the room with short and unequal steps, often stood still and clasped his hands together, and gave loose, in short, to agitation, which in public he had found himself able to suppress so successfully. At length, pausing and wringing his hands, he planted himself opposite to the wicket-door, which had been pointed out by old Mornay as leading to the scene of the murder of one of his predecessors. - - -

"Above the little door, in memory perhaps of the deed which had been done within, was a rude niche, containing a crucifix cut in stone. Upon this emblem the King fixed his eyes, as if about to kneel, but stopped short, as if he applied to the blessed image the principles of worldly policy, and deemed it rash to approach its presence without having secured the private intercession of some supposed favourite. He therefore turned from the crucifix as unworthy to look upon it, and selecting from the images with which, as often mentioned, his hat was completely garnished, a representation of the Lady of Clery, knelt down before it, and made the following extraordinary prayer; in which, it is to be observed, the grossness of his superstition induced him, in some degree, to consider the Virgin of Clery as a different person from the Madonna of Embrun, a favourite idol, to whom he often paid his vows.

"'Sweet Lady of Clery, he exclaimed, clasping his hands and beating his breast while he spoke—'blessed Mother of Mercy! thou who art omnipotent with Omnipotence, have compassion with me a sinner! It is true, that I have something neglected thee for thy blessed sister of Embrun; but I am a King—my power is great, my wealth boundless; and, were it otherwise, I would double the *gabelle* on my subjects, rather than not pay my debts to you both. Undo these iron doors—fill up these tremendous moats—lead me, as a mother leads a child out of this present and pressing danger! If I have given my sister the command of my guards, thou shalt have the broad and rich province of Champagne; and its vineyards shall pour their abundance into thy convent. I had promised the province to my brother Charles: but he, thou knowest, is dead—poisoned by that wicked Abbè of Angely, whom, if I live I will punish!—I promised this once before, but this time I will keep my word.—If I had any knowledge of the crime, believe, dearest patroness, it was because I knew no better method of quieting the discontents of my kingdom. O, do not reckon that old debt to my account to-day; but be, as thou hast ever been, kind, benignant, and easy to be entreated! Sweetest Lady, work with thy child, that he will pardon all past sins, and one--one little deed which I must do this night—nay, it is no *sin*, dearest Lady of Clery—no sin, but an act of justice privately administered; for the villain is the greatest imposter that ever poured falsehood into a Prince's ear, and leans besides to the filthy heresy of the Greeks. He is not worth thy protection; leave him to my care; and hold it as good service, as the man is a necromancer and wizard, that is not worth thy thought and care—a dog, the extinction of whose life ought to be of as little consequence in thine eyes, as the treading out a spark that drops from a lamp or springs from a fire. Think not of this little matter; gentlest, kindest Lady, but only think how thou canst best aid me in my troubles! and Here bind my royal signet to thy effigy, in token that I will keep word concerning the county of Champagne, and that this will be the last time I will trouble thee in affairs of blood, knowing thou art so kind, so gentle, and so tenderhearted.'

"After this extraordinary contract with the object of his adoration, Louis recited, apparently with deep devotion, the seven penitential psalms in Latin, and several, prayers especially belonging to the service of the Virgin. He then arose, satisfied that he had secured the intercession of the Saint to whom he had prayed, the rather, as he craftily reflected, that most of the sins for which he had requested her mediation on former occasions had been of a different character, and that, therefore, the Lady of Clery was less likely to consider him as a hardened and habitual shedder of blood, than the other saints whom he had more frequently made confidents of his crimes in that respect."

A reconciliation between Louis and Charles is ultimately brought about; and many incidental adventures vary these pages. The Bohemian comes as a Herald from the Wild Boar, and is first hunted, then hanged; confiding the secret of his employer's plans to Quentin, which in the end enables him to win the heiress of Cloye. Liege is taken by the French and Burgundians in concert; and William de la Marck slain, in a desperate sally, by Balafré, after being wounded almost to death by our hero. His reward for the head of the boar is the hand of Isabelle, for which all the chivalry contended; and among others, Le Glorieux, the Duke of Burgundy's jester, who figures pleasantly enough in this history—

"'No one thinks of me,' said Le Glorieux, 'who am sure to carry off the prize from all of you.'

"'Right, my sapient friend,' said Louis; 'when a woman is in the case, the greatest fool is ever the first in favour.'"

Of course the author had a right to give the triumph to whom he pleased; but we confess we should have liked it better if Quentin had won it solely, than as a participator of his uncle's victory. The latter owes this laurel to the author's affection for the superstitious and preternatural; for it seems only to fulfil an old prophecy, that he robs his hero of so much honour. We have little farther remark to offer; we doubt not but the jests put into the mouths of the executioners, Trois. Eschelles and Petit-Andre, are true to tradition, but we cannot say their effect has been so amusing to us as disagreeable. On the whole, however, for character and the genuine development of human nature; for dramatic involution, for description, and for the finer touches of a shrewd and acute spirit, the tale of Quentin Durward, on a foreign soil, appears to us to equal almost the happiest efforts of the author on his native soil.

The London Literary Gaz. May 17.

From Blackwood's Magazine, March, 1823.

THERE IS A TONGUE IN EVERY LEAF.

THERE is a tongue in every leaf!
A voice in every rill!
A voice that speaketh everywhere,
In flood and fire, through earth and air;
A tongue that's never still!

'Tis the Great Spirit, wide diffused
Through every thing we see,
That with our spirits communeth
Of things mysterious—Life and Death,
Time and Eternity!

I see Him in the blazing sun,
And in the thunder cloud;
I hear Him in the mighty roar
That rusheth through the forests hoar,
When winds are piping loud.

I see Him, hear Him, *everywhere*,
In *all things*,—darkness, light,
Silence, and sound; but, most of all,
When slumber's dusky curtains fall,
At the dead hour of night.

I *feel* Him in the silent dews,
By grateful earth betray'd;
I feel Him in the gentle showers,
The soft south wind, the breath of flowers,
The sunshine, and the shade.

And yet (ungrateful that I am!)
I've turn'd in sullen mood
From all these things, whereof He said,
When the great whole was finished,
That they were "very good."

My sadness on the loveliest things
Fell like unwholesome dew—
The darkness that encompass'd me,
The gloom I felt so palpably,
Mine own dark spirit threw.

Yet He was patient—slow to wrath,
Though every day provoked
By selfish, pining discontent,
Acceptance cold or negligent,
And promises revoked.

And still the same rich feast was spread
For my insensate heart—
Not always so—I woke again,
To join Creation's rapturous strain,
"O Lord, how good Thou art!"

The clouds drew up, the shadows fled,
The glorious sun broke out,
And love, and hope, and gratitude,
Dispell'd that miserable mood
Of darkness and of doubt.

C.

TO MY MOTHER.

THEY tell us of an Indian tree,
Which, howsoe'er the sun and sky
May tempt its boughs to wander free,
And shoot, and blossom, wide and high,
Far better loves to bend its arms
Downward again to that dear earth,
From which the life, that fills and warms
Its grateful being, first had birth.
'Tis thus, though woo'd by flattering friends,
And fed by fame (*if* fame it be)
This heart, my own dear mother, bends,
With love's true instinct, back to thee!

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Appendix to the Bombay Gazette.

WEDNESDAY, OCTOBER 1, 1823.

(Continued from the Page 692.)

correct or equitable rule could have been adopted than that of a General Distribution amongst the Forces of all the Presidencies engaged in the combined operations of the campaign. My Lords do not consider that under all the circumstances of this case it will be expedient to recommend to His Majesty to grant any part of this booty to the East India Company. And my Lords will submit to His Majesty their recommendation that he will be graciously pleased to direct that His Royal Grant of the said Booty may be made in conformity with these principles. And for the purpose of better carrying into effect His Majesty's gracious intentions in this behalf, my Lords will recommend to His Majesty that a grant be made of the said Booty to Trustees to be appointed by His Majesty for the purpose of ascertaining and collecting the said Booty and for preparing a scheme for the distribution thereof conformably to the principles above stated which my Lords submit for His Majesty's final approbation and sanction under His Royal Sign Manual Warrant, and that if any questions or difficulties should arise thereon or between the East India Company and the said Trustees in regard to what may or may not be properly considered as Booty according to the legal acception of the term Booty, with references to the principle governing any capture of property from an Enemy in Indian warfare and the chartered rights of the East India Company and the true intent and meaning of His Majesty's Grant, or if the Governor General or Governor General in Council may have ordered any captured property to be restored or may have considered any such property as not the proper subject of Prize or Beoty and the said Trustees shall claim the same as such, all questions or differences relating to any such property or booty which may arise between the East India Company and the said Trustees should be submitted to this Board either for His Majesty's decision thereon or for such directions as His Majesty may be pleased to give for referring the same for final adjudication as the case may require. And whereas our said Commissioners have further submitted unto us their opinion that under all the circumstances of this case it will be reasonable that the proper costs and charges which have been incurred or which may hereafter be incurred by the respective parties in relation to the proceedings had before our said Commissioners should be defrayed out of the said Booty, and they have recommended unto us that we should empower the said Trustees to be appointed by us to award and allow all such costs and charges as they may deem just and reasonable to be charged upon and paid out of the said Booty or the proceeds thereof accordingly. And whereas we have been graciously pleased to approve of the said Minute and recommendation of our said Commissioners--And whereas it is expedient that a Warrant under our Royal Sign Manual should be issued for granting the said Booty to Trustees to be appointed by us for the purpose of ascertaining collecting and receiving the same and for preparing a Scheme for the distribution thereof conformably to the principles recommended in the said Minute. We taking the premises into our Royal consideration are graciously pleased to give and grant and do by these Presents give and grant unto our Right Trusty and Right entirely beloved Cousin and Councillor Arthur Duke of Wellington, Knight of our Most Noble Order of the Garter and Knight Grand Cross of our Military Order of the Bath and Field Marshal of our Army and to our Right Trusty and well beloved Councillor Charles Arbuthnot All and every the Ordnance Arms Artillery Ammunition Stores of War Provisions Elephants Cattle Goods Merchandise and other things (being plunder or Booty) of every description which were captured and taken by our Forces in conjunction with our Forces of the said United Company in the said Wars or Hostilities carried on in the years 1817 and 1818. And also all Monies into which the said plunder or Booty or any part thereof may have been converted as well all such as may already have been secured or received into the hands of the said United Company or any of their Officers or Servants or other person or persons as also all such as the said Trustees may hereafter recover or receive from the said United Company or any of their Officers or Servants or any other person or persons whomsover on account of such Booty in trust for the purpose of collecting recovering and receiving all the said Booty or the proceeds or value thereof hereby granted from the said United Company, their Officers or Servants, and all and every other person or persons whomsover into or in whose hands custody power or possession the same or any part thereof may have come or may now be & remain. And it is our further will and pleasure and we do hereby order and direct that if any differences or questions shall arise thereon or between our said Trustees and the said United Company of Merchants of England trading to the East Indies in regard to the said Booty or any part thereof which may have been delivered over to or taken possession of by the said Company or any of their Officers or Servants or which may have been applied or appropriated by the said Company or by the Governor General or Governor General in Council in any manner to the use of the said Company, or which may have been restored or ordered by the Governor General or Governor General in Council to be restored or may have been treated or considered by the said Company as not being lawful Prize or Booty all such differences or questions relating thereto shall be submitted by the said Trustees to the Commissioners of our Treasury for the signification of our Royal Pleasure thereon or for the final settlement thereof as Law and Justice may require; and we do hereby empower the said Trustees under the authority and by the direction of the said Commissioners of our Treasury to sue for and recover all such Booty or proceeds or amount or the value thereof in their own names upon the Trusts and for the purposes of this our Grant and Warrant in all cases in which the said Company or any of their Officers or Servants or any other person or persons shall not after the signification of our Royal Pleasure thereon pay or restore or transfer the same to the said Trustees. And for the better and more speedily and effectually recovering the said Booty or the proceeds or value thereof We do hereby authorize and empower Our said Trustees to appoint any one or more person or persons under them to act in their names or on their behalf in relation thereto or to carry on any suit or legal proceeding under the authority and by the direction of the said Commissioners of our Treasury as need may be on occasion require, and to award and allow to each and every of such person or persons so to be appointed such sum or sums of money as shall appear to them our said Trustees a fair and just remuneration for their and each of their services in and about the Premises; and we do moreover conformably with the recommendation of the said Commissioners of our Treasury in that behalf authorize and empower our said Trustees to award and allow all proper Costs and Charges in the Proceedings had before Our said Commissioners for the signification of our gracious Pleasure as to the distribution of the said Booty, and also such further and other Charges and expenses as may have been already incurred or which may hereafter be incurred in relation thereto or in and about the Premises—And all and every of the said Costs Charges and Expenses so to be awarded and allowed shall be charged upon and paid out of the said Booty or the proceeds thereof generally or out of the proceeds of any particular part or parts thereof as to our said Trustees may seem meet and proper and the determination and decision of our said Trustees in respect to all such Costs Charges and Expenses and the Fund or Funds out of which the same shall be defrayed shall be final and conclusive and when and so soon as the case will admit—We do authorize and direct our said Trustees to prepare a Scheme for the distribution of the said Booty and of all and every part and parts thereof conformably to the principles recommended in the said Minute of the Commissioners of our Treasury and approved by Us, which scheme shall be submitted by them to the said Commissioners of our Treasury for the Signification of our Royal pleasure thereon and it is our further will and pleasure and We do hereby order and direct that our said Trustees do regulate their conduct in the formation of the said Scheme and in regard to the performance of the Duty of collecting receiving and distributing the said Booty by the Agents entrusted by them for this purpose and in regard to the notices and notifications thereof and of accounting for the same according to the Provisions of an act passed in the 54th year of the Reign of His late Majesty our Royal Father of Blessed Memory entitled "An Act for regulating the payment of Army "Prize Money and to provide for the payment "of unclaimed and forfeited shares to Chelsea "Hospital." And according to the rules and customs heretofore used and observed in our Service in like cases. Given at Our Court at Carlton House this 22d day of March in the 4th year of our Reign.

By His Majesty's Command.

(Signed) LIVERPOOL,
LOWTHER,
G. C. H. SOMERSET.

(A true Copy.)
J. T. WOOD, Major,
General Prize Agent in England.
(A true Copy.)
G. CADELL, Major,
General Prize Agent in India.

FOREIGN INTELLIGECE.

FRANCE.

PARIS, MAY 3.—Yesterday there was witnessed, in the neighbourhood of Paris, one of

those Court exhibitio s which were supposed to have expired with the old *regime*, and which scarcely any body could have expected to see revived by so old a King. His Majesty's favorite, you know, is Madame du Cayla. His foudness seems to increase with age and infirmities; he has lately, at great expense (nearly 3,000,000 of francs, according to rep rt) fitted up a little chateau at St. Ouen, near St. Denis, on the site of the old royal residence. This chateau, together with a magnificent portrait of himself, he has lately given in a present to this lady. As yesterday was the anniversary of his arrival at St. Ouen, where he issued the famous d claration of 1814, Madame du Cayla proposed to honour the occasion by inviting a large party to breakfast with his Majesty. She accordingly issued cards to more than 500 persons, including the Ministers, foreign Ambassadors, and chief Nobility about Court. The form and expressions of the cards are precisely I am told, those of the royal favourites of Louis XIV. and Louis XV. The following is a copy:—"*La Comtesse Achille du Cayla espere que vous voudriez bien venir dejeuner vendredi; 2 Mai au pavillon du Saint Ouen, a midi précis.* You observe there is no phrase about "doing her the honour," nor the other usual forms of salutation or invitation. To the notes of the Ambassadors and privileged classes, Madame added the following post-script--"*Ungrandpersonnage y sera incognito*," meaning the King of course. The greatest part of the persons invited proceeded to the scene. The finest equipages of the capital continued pouring to St. Ouen from mid-day till late in the afternoon. The Ministers all attended the levee of a woman whom "the King delighteth to honour. The Holy Alliance Ambassadors vied with each other in the richess of their equipages and the punctuality of their attendance. The *grand personnage*, however, could not honour the pavilion with his presence. He had promised to be present in a procession through the city, and he found the two labours of a great breakfast and a solemn promenade would be too fatiguing.—Count Achille du Cayla, husband of Madame du Cayla, emigrated when very young, and joined the standard of the Prince de Condé. He returned to France after he saw that the efforts of the Prince were unavailing, and in 1802 was married to Zoe Victoire Talon (the passent Countess du Cayla) the daughter of M. Talon, *Lieutenant civil au Chatelet* in 1789. With the joint contributions of their familes, they bought "aproperty in the Nivernois, and a house in Paris, which they continued to occupy till the return of the King in 1814. By this time they had several children, some of whom are alive. The father of Count du Cayla returned with the Bourbons in the capacity of *first gentleman* of the Prince de Condé; and the bounty of the Prince furnished apartments to the whole family in the palace Bourbon. There Madame du Cayla resided till near the end of 1817. In July of that year her husband created a disturbance in the palace by his violence, which furnished both a motive for her leaving that residence, and supplied one of the grounds of their future separation. Mademoiselle Talon, at the time of her marriage, was very handsome, very gay, and very accomplished. Whether see gave her husband grounds of jealousy or not, in the first years of their union, it would appear that jealousy was early the cause of domestic discord, and that this feeling, acting on a weak and irascible mind, had deprived him of his senses. Madame du Cayla is still the wife of the Count, though living on a separate maintenance; and if the King is to have her in a left-handed marriage, it is said he wishes, he must apply to the Pope for an indulgence, which, after the good deeds doing for the church in Spain, will not be refused—Madame du Cayla is disliked by the Duchess d' Angouleme. She is not devout enough for the taste of her Royal Highness and her friends; but the most fanatic Ultra does not decline her services or murmur against he power. She placed Peyronnet in the Cabinet, and maintains Villele in the Presidency. In the late *fête*, Villele sat on her right hand.—*Private Letter.*

[*The Examiner.*

SPAIN.

By the last accounts from Seville, it appears that a declaration of war against France was read in Cortes by the Secretary for Foreign Affairs, SAN MIGUEL, on the 24th of April; it bore date the 23d, was signed by the King, and addressed to the Foreign Minister; assigning the invasion of the Spanish territory without a declaration of war, without the accustomed formalities, and therefore in breach of the law of nations, as a just ground of war in self-defence by Spain, and enjoining the immediate commencement of hostilities by Spanish subjects, on sea and land, against the offending nation. The Council of State gave their opinion, that war "ought to be declared against the nation which has invaded Spain;" and this opinion was on the 25th referred, punctiliously, to the diplomatic committee.

An interesting report has reached Madrid from BALLASTEROS, describing the attack upon part of his division, consisting of not more, according to the French account, than about 900 men, by 4 French battalions, 2 of Spanish traitors, and 500 cavalry, altogether 4,000 in number! The French bulletins, which were long since made public, fully establish the noble conduct of the Spaniards in resisting, and more than once repulsing, a force of more than four to one. The official report of the Spanish General states, that the Colonel of the French cavalry was killed in the first charge: this is Colonel MULLER, whom the bulletins of GUILLEMINOT acknowledge to have been severely wounded, and the Ultra journals state to have since died. Don JULIAN SANCHEZ, a brave Spaniard, was unfortunately taken prisoner. This first and only serious action with the invaders was highly encouraging to the patriotic cause, since the best troops in the world can do no more than gallantly resist a far superior force, and when compelled to give ground, retreat in regular order.

London Paper, May 12.

FOREIGN ENLISTMENT BILL.

Lord ALTHORP, in rising to call the attention of the House to this question, which was one of considerable importance, said, that as to the immediate proposition he had to produce, the House would acknowledge that all that could be required of a neutral nation was to act with impartiality between the belligerents; and this impartiality was equally maintained, if, as under the present law, we said, that no subjects of the State should be allowed to enlist under the banners of either of the belligerents, or if we allowed aid to be given by individuals to either party. The Right Honourable Gentleman shook his head at this: he (Lord A.) was not well read in the Jurists, but he Chapter of Grotius on the duty of neutrals was positive on the point, which laid it down as he had stated it; and as Grotius generally supported his positions by quotations from ancient history, he cited a case in which the Lacedæmonians complained to the Athenians that the Corinthians had been allowed to raise troops in Athens, which, said the Lacedæmonians, "We call upon you either to prevent, or to permit us to do the same, else you will not perform the duty of neutrals." This was a precisely parallel case. If it were said that this proceeding would endanger hostilities on the part of France, his answer was, that any war declared by France on such a ground would be an unjust one, and whatever was the situation of this country, he trusted it would never fear to make resistance to an unjust attack. The proposition, that without some such law as that which he now proposed to repeal, the country could not preserve its character of neutrality, was proved to be absurd by the fact, for if it were true down to 1819 or he should rather say, down to the passing of the law of George II. this country could never have maintained a character of neutrality. If the repeal of the foreign Inlistment Bill would not affect our neutral character, the only other question was whether it would be attended with any domestic inconvenience? When this Bill was formerly discussed, it was asked "would you allow troops enlisted for foreign powers to be paraded through the streets of London?" That inconvenience, if it had ever been likely to arise, was now effectually precluded without the aid of the Foreign Enlistment Bill, by one of the Six Acts, which forbade the training of any body of men without the King's license. No other domestic inconvenience was then contemplated, or could be now alleged. To prevent future bickerings, if for nothing else, we should repeal the Bill. It was necessary to state, that before the Bill passed in 1819, there had been two Acts nominally in force, of the 9th and 29th Geo. II. which made it felony to serve in the Military force of any foreign state, but as there were no means of prevention, the Statutes were a dead letter. In 1819, these Statutes were repealed, and the provisions re-enacted with a milder penalty, making the offence misdemeanor instead of felony, and superadding many measures of prevention. His purpose was not to re-enact those Statutes, and he should therefore move for leave to bring in a Bill to repeal the whole of the Act of 1819, with the exception of the first clause.

Lord Folkestion supported the motion.

Mr. W. Lamb said, that the repeal of the Foreign Enlistment Bill would be considered as an act of decisive hostility, and, if we affected at the same time to maintain neutrality would be unworthy of the fair character and honest dealing of the country. He was ready to admit that the aggression of France on Spain was an act of injustice, but he denied that we were called upon to repress every act of injustice committed by a foreign Power, and that we were bound on every such occasion to embark in the contest. If it were the policy of this country to embark in war, he doubted not that we had the spirit to undertake and the means to carry it on. He did not think it the interest of the country to engage in the war, because if France failed, neutrality must be admitted to be our best policy, and if she succeeded the matter would be our, and France would be exposed to all the obloquy, and all the difficulties which success would entail. He said "all the difficulties," for he was so far from thinking that the success of France in this contest would contribute to her aggrandisement, that he was satisfied it would cripple her resources, as well as expose her to all the obloquy, which her unjust aggression must call forth.

Dr. Lushengton would, confine himself to the qustion more immediately before the House; and that question was, whether the Foreign Enlistment Bill should be repealed? The Noble Lord (Althorp) had stated that it could without any violent alteration of the present state of our international law; and in this he (Dr. Lushington) most readily concurred. Nay, he went a little further, and contended, that it could not by France be called any demonstration of hostility. We were bound not merely by the law of nations, we were bound by that of humanity. But he should like to know upon what authority of the law of nations we were at one time allowed to furnish a country, with which we were not at war, with ships and men, and arms, and warlike stores, and were not at another to be allowed to allow them to purchase the service of our countrymen? If the Right Honourable Gentlemen could not explain this, then the whole of their reasons for opposing the motion of his Noble Friend would fall to the ground. But the Bill in question had done more than this. It had not only prohibited every native of this country from going into the service of

foreign States, but it had rendered every man, even though he had been twenty years in a foreign country, liable to the odium and the penalty of a misdemeanor when he returned to his own. Now, what was this but prohibiting to other nations that of which we had taken advantage ourselves; for it had been the practice of this country to enlist the servants of others. Had we not in our Navy natives of almost all the countries of the world? Nay, had we not by a special enactment ratified this power?—Now, if it was so contrary to the standing law of nations, why was it unrepealed? Why, when we had a law forbidding other nations from profiting by the services of the natives of this country, had we an unrepealed Statute, giving to those of other nations, who may have been two years in our service, the benefits and privileges of British subjects? He wished to know whether they might now do this? If, when we were bound by statute to send men, and ships, and warlike stores to foreign nations, why we should not permit men to go? To shew that this was not only the law but the practice, it was not necessary to go further back than the last war with France. During that war in 1814, besides furnishing ships, men, arms, and money, we had allowed them to enlist; but we were departing from that policy now, and abandoning the rights and the liberties of a nation who was not at war with us.

Dr. PHILLIMORE contended that the principle of allegiance ought to give the King such a power over his subjects as to prevent them entering the service of other states. In the reign of George II there was a statute preventing the people of this country from entering into foreign service: but as the penalty of that law applied only to their entering the service of states, under which title the revolted colonies did not come, it became necessary to pass the Bill in question, and the passing of it was no new matter, as we were bound to the substance, and almost the letter of it by a treaty concluded four years previous to the time that the Bill was passed. The Honourable and Learned Gentleman went on to quote some authorities to prove that the Foreign Enlistment Bill was not at variance with the received law of nations. The policy of this country was to preserve a *bona fide* neutrality. It would therefore be a most ill advised proceeding to adopt the repeal of the existing law, as it would appear, though not a positive departure from our neutrality—an act of excessive partiality to one of the belligerents.

Mr. MARRYATT stated that he had originally opposed the passing of the present Act, on the ground of such a proceeding being then an undue preference to Spain in her struggle with South America. It was, however, at that moment the existing law, and he was determined to oppose the repeal, because that repeal could be considered in no other light than a proof of an undue preference to one of the belligerents, that was to Spain over France. He knew that men according to their respective dispositions, followed, and possessed the right to follow, their natural bent. Arms, arts, and commerce attracted each their different votaries, the love of enterprize would always have its proportion. Had Europe been in a state of peace, he should have supported the repeal of the act, and the consequent restoration of ancient practice. But as that was not the case, and as with respect to the existing hostilities the Government of this country had wisely determined to preserve a strict neutrality, he could not give his support to the repeal at the present moment.

Lord JOHN RUSSELL said, he did not rise to reply to the observations of the Honourable Member who last addressed the House, and who rested his argument on the principle of repealing the law, not when the repeal could be useful, but when it would be altogether inoperative. The Learned Civilian (Dr. Phillimore) had declared the law to be in conformity with the law of England; but he had not communicated at the same time the authority on which he founded that assertion. It was true that he had quoted the authority of a foreign publicist, Bykershoef but that was, an authority which, under the sanction of a Learned Friend of his, now unhappily absent (we presume Sir J. Mackintosh), he denied; and therefore he still called upon the Learned Civilian (Dr. Phillimore) to produce some British authority in support of an opinion which was opposed to the practice of the British Government and people for a succession of ages. He denied the repeal of the present law to be any violation of neutrality. It was impossible that any foreign power could complain, or call the Government to an account, because it thought proper to resort to the ancient law and practice of the country. Let that House do what it might, and state as it pleased—the heart of the country was entirely with the gallant people of Spain [hear, hear!]. The best course that could be taken, was to give way to the generous sympathies of the people.

Mr. T. COURTENAY concurred in the view of the subject taken by the Honourable Member for Sandwich (Mr. Marryatt). He then proceeded to quote Grotius in support of this opinion, who laid it down that neutrals might in affairs not relating to war give to belligerents equal and impartial assistance. We should therefore look to the probable effect of the repeal of this law with respect to the two belligerent powers, and he was sure the effect would not be to give impartial assistance to both. There was no part of the speech of his Right honourable Friend (Mr. Canning) on a former night which he more completely concurred in than that part where he said that it was our duty to act merely as neutrals in the strictest sense of the word. We had formerly acted towards other powers on that principle, and we had held that assistance given by a neutral to a belligerent power, gave us a right to make war upon that neutral. We had gone so far as to say, that it could not be allowed to a neutral to avail itself of any measure adopted by a belligerent power, from which the neutral could only derive a commercial advantage, if such proceeding enabled the belligerent the more easily to resist us. This principle had been more fully laid down by Sir Joseph Yorke, in his memorial to the States General. He there stated, that being at war with France, we could not allow the shipping of the States General to carry on trade with that power. This was the doctrine in 1807, and it was founded on Grotius, who stated that neutrality was not compatible with the act of taking advantage of hostile circumstances between States; but the ordinary principle of neutrality was not to afford assistance to either side. He concluded by observing that he could not avoid expressing the opinion which he most strongly entertained, that if we now repealed this law, it would, under all the circumstances, be equivalent to saying, we were prepared to take part in a war against France.

Sir R. WILSON said, he would confine himself strictly to the question before the House. He considered the Bill as unjust, impolitic, and degrading. It was unjust, because it could never be brought into operation without injury to the oppressed. It was impolitic, because it was opposed to the independence of other States, which independence would be the best guarantee of our own—and it was degrading, as being a sacrifice of the principles of a free State to despotic authority [hear, hear!]. They had but a dim vision of the events that were to be, if they did not see that we should be obliged at length to engage in war with increased difficulties and increased expence on account of our present neutrality. Such men flattered the people, when they told them, at a time when a dreadful policy was about to agitate Europe, they could eat the bread of peace; but he trusted the people of this country would never submit to eat in peace the bread of humiliation and shame [hear, hear!], by remaining the passive and inglorious spectators of the violation of the rights of nations.

Sir J. YORKE was for supporting the principle of an honourable neutrality. He thought it highly impolitic that the Bill should be repealed, more especially as there was a clause in it which contained a precaution against the equipment of private ships of war, which was a most important provision; for if it were departed from, as it would be on a repeal of the Bill, the consequence would be a war, which, as was justly observed in another place, must be wholly sustained by this country alone. If privateers were now allowed to be fitted out, we should soon see such a flight, as he might call it, of seamen enter foreign service, that when we looked to man our own ships for the defence of our insular position, there would be a paucity of that *materiel*. He wondered whether the Honourable Members opposite had seen a newspaper paragraph (for although newspapers did not always tell truth they sometimes contrived to obtain very accurate information) which paragraph stated that about 300 seamen had lately gone from Liverpool to man a fleet of the Emperor of Brazil—an event which some time ago would have looked like a story in the *Arabian Nights' Entertainments*. This he wished the House to take as an awful warning that they ought to have special care how they moved in affairs of this sort. There was nothing so important as the preservation of our seamen; and he would say, if the whole salaries of Ministers, and even of the Honourable Gentleman in the Chair, whom he much respected were to be taken and applied to the keeping up of the enrolment of our seamen, he would vote for such an application [a laugh], It was true he was not so well read as some Honourable and Learned Members in Grotius and Puffendorf [a laugh], nor could he, like Gentlemen accustomed to legal proceedings, split every hair of a cause; but he felt in his conscience that he would be giving a faithful vote to this country by supporting the Bill, and he would be fulfilling the maxim referred to by an Honourable Secretary of State, who generally used strong language, and who quoted from the Sacred Volume, that we should do as we would be done by.

Mr. H. GURNEY said a few words against the repeal; he believed it would operate by the fitting out of ships of war, under British owners or British seamen, to the promotion of piracy.

Mr. BARING observed, unless he heard some better reasons urged against the repeal of the Bill than any that had yet been urged, he must support the motion. When it was contended that we could not repeal the Bill without leading to consequences which would involve this country in war, he could not undertand the ground of the argument, It was beyond his apprehension that this country, which had passed so many centuries without such a law, could not, by the repeal of the Bill, return to the state of things before its existence without being necessarily involved in war [hear, hear!]. We must, in that case, have most techy allies indeed, if we could not return to our ancient laws without being as the Right Honourable Gentleman opposite informed us, involved in war. If there was any danger to peace to result from the fitting out of privateers, surely a provision might be made to prevent it. The House was told by the Gallant Admiral opposite that some hundreds of seamen had gone from Liverpool to man the fleet of Brazil; by this appeared, that the foreign enlistment took place in spite of the existing law [hear!]. This he took to be an argument why the Bill should be repealed, because the law was so repugnant to the popular feeling, that it could not be executed [hear!]. It was evident that a law of more severe rigour must be enacted, or the present one should be repealed. The practice which this law went to punish had been pursued from time immemorial by our seamen. In the war which Catherine waged against Sweden, the ships on both sides were chiefly manned and conducted by British seamen—there was Admiral Gregg on one side, and Admiral Elphinstone on the other, and Sir Sidney Smith fought on that occasion, but when we were ourselves in danger of war, a Proclamation called all our seamen home: they had obtained an experience by being engaged in a time of peace in foreign service, which they could not otherwise have acquired, and which made them much more effective than they could have been in the service of their country. The same advantage was to be derived in the land service of foreign states in time of peace which our naval forces had acquired; he believed the Duke of Marlborough had ripened the talents, which gained him the triumph of Blenheim by the knowledge and experience which he derived from the service of France under the auspices of the great Marshal Turenne [hear, hear, hear!]. If the country entered on a pacific system, it was most important that the vigour of our naval and military services should not decay during the time of peace, and that could be best supported without expence to us by the trials of foreign service, he did not see any thing in this that could commit the peace of the country. He repeated, that unless he heard stronger arguments than any yet given in support of the Bill, he must vote for its repeal on the general principle, and not at all with reference to the particular case of Spain, He would certainly vote for the repeal

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of the Bill; because he was sure if we were connected with such techy Allies, that we could do nothing without the danger of offending them, and could not proceed in our ordinary course without the risk of involving ourselves in hostility, it would be much better to adopt a manly line of conduct without reference to the opinions of any one [hear, hear, hear. !]

Sir F. BLAKE was of opinion, that if our Goverument had assumed a higher tone throughout the recent negociations, Spain would never have been invaded.

The cries of " Question !" " Question !" now became very general, and Lord Althorp appeared to be about to reply, when

Mr. CANNING rose, and spoke to the following effect :—Sir, those Honourable Gentlemen (being by far the greater number of those whom I have the honour to address), who were not present at the commencement of this debate, can hardly imagine what a degree of restraint I impose upon myself, when I say that it is my intention to confine myself in what I am about to remark strictly to the question before the House.

The Act of Parliament which the Noble Lord has moved for leave to bring in a Bill to repeal was passed for or five years ago, partly in mitigation of the statute law, and partly in confirmation of tde common law, the fact being, that the common law prohibited the transfer of military allegiance to any other Power without the consent of the Sovereign, and that the statute law annexed to a transgression of the common law on that subject, certain severe and sanguinary penalties. When peace was concluded between this country and Spain in 1814, an article was introduced into the Treaty, by which this country bound itself not to furnish any succours to what were then denominated the revolted colonies of Spain. In proces of time, as those colonies became more powerful, a question arose of a very difficult nature; to be decided on a due consideration of their *de jure* relation to Spain, and their *de facto* independence of her. The law of nations was entirely silent with respect to the course which, under a circumstance so peculiar as the transition of tolonies from their allegiance to the parent State, ought to be pursued. It was difficult to know how far either the statute law or the common law was applicable to colonies so situated. It became necessary, therefore, in the Act of 1818, to treat the Colonies as actually independent of Spain; and to prohibit mutually, and with respect to both, the aid which had hitherto been prohibited with respect to one alone. Thus, Sir, has the law stood, from the year 1818 down to the present time. I ought to observe, that it was in order to give full and impartial effect to the provisions of the treaty with Spain, which prohibited the exportation of arms and ammunition to the Colonies, but did not prohibit their exportation to Spain; that the Act of 1818 declared that the prohibitions should be mutual—a declaration which so little deserves the character of baring hard upon the Colonies, that it was in fact an extension of advantage to them. When, however, war became probable between France and Spain, it became necessary to review these relations. It was obvious that if war broke out, we must either extend to France the prohibition which already existed with respect to Spain, or we must remove from Spain the prohibition to which she was at present subject, provided we meant to place the countries on an equal footing. As far as the exportation of arms and ammunition was concerned it was in the power of the Crown to remove any inequality between the parties simply by an Order in Council. Such an order was consequently issued, and the prohibition of exporting arms and ammunition to Spain was taken off. By this measure his Majesty's Government afforded a guarantee of their *bona fide* neutrality. It is obvious that the mere appearance of neutrality might have been preserved by the extension of the prohibition to France, instead of by the removal of the prohibition from Spain; but it would have been a prohibition in words only, and not at all in fact, for the immediate vicinity of the Belgic ports to France would have rendered the prohibition of direct exportation to France totally nugatory. So far, Sir, was this determination on the part of his Majesty's Government concerned (as some Honourable Gentlemen have imputed to us), with France and not with Spain, that I can assure the House with perfect truth that the concert, if concert it can be called, was with Spain, and not with France; for his Majesty's Government stated to Spain that there were two modes in which the difference between the privileges of France and Spain might be equalized by an order in Council; either by prohibiting the exportation of arms and ammunition to France, or by removing the prohibition upon their exportation to Spain; but it was also stated to Spain that his Majesty's Government could not remove that prohibition as it respected Spain, without removing it also as it respected the South American Colonies. Such, Sir, was the motive; namely, to produce an equality between France and Spain, not in words but in fact, which prompted the order in Council to which I have alluded. I desire to consider the Act, for the repeal of which the Noble Lord has moved, in precisely the same point of view. I desire the House to consider whether the repeal of that Act would not have—not the same, but the correspondent effect to that which would have been produced by an Order in Council, prohibiting the exportation of arms and ammunition to France. Sir, every body knows, however he may abstain from saying it, that a repeal of the Act in question would be a repeal only in words as respecting France, but a repeal, in fact, as respecting Spain. Every body knows that such a repeal would occasion an inequality of operation, certainly not intended by the Noble Mover who distinctly disclaimed any such wish; but no less certainly desired by some other supporters of the motion, who are not equally impartial. Whether it might or might not be right to testify a partiality to Spain is another and a larger question. I am arguing on the assumption that the policy of this country is neutrality; and I maintain that, whether the repeal of the Bill ought to be considered as a right or a wrong measure, it cannot be denied, that it would be an infraction of neutrality. Sir, if I have succeeded in shewing that there is no ground for repealing this Act, in order to mark our neutrality, if I have succeeded in showing that what has been done by his Majesty's Government, manifests, if not neutrality, a leaning, not to the stronger, but to the weaker party, it only remains for me to examine whether there is any thing in this Act so contrary to the established law of nations as to render it unfit to be longer continued. Sir, the Act is divided into two plain and distinct parts; the one prohibiting British subjects from entering into the military service of Belligerent States, the other forbidding the fitting out of privateers for the service of those States, in British ports with British means and money, or which are to be manned with British seamen. With respect to the former part, on which the greater portion of the debate of this evening has hinged, I agree with my Right Honourable Friend near me in considering it as the part which is of the less importance as regards Spain, because though there is no doubt that any advantage taken of the proposed repeal would be in favour of one belligerent, and that a disposition to violate our neutrality on that side, has been already manifested; yet I do not think that it would go the length which has been anticipated by many. I do not mean to say that Spain has shewn herself ungrateful for the services of distinguished individuals upon former occasions; but the laws of Spain have been changed since that period. I have observed, and so may those who now hear me have observed, that shortly after the Speech of the King, of France, or at all events, upon the first burst of feeling having manifested itself in Spain, certain regulations were adopted relative to the admission of foreigners to the Spanish army. It was then decided that foreigners, who had previously served in the Spanish army, should be allowed to re-enter it up to the rank of Serjeant [a laugh]; and that foreigners who had not served in that country before should be permitted with all their hearts, to serve—up to the full rank of private [a laugh;] so that here, at least, is no very strong temptation held out to induce the co-operation of the military spirit, skill, and enterprize of this country in support of the Spanish cause. I have also reason to form this opinion from a recollection of what took place upon former and no very distant occassions. When the army of England last fought in Spain, they fought in favour of an united people against a foreign foe. How altered is the case at present? Who is there who could wish to see Englishmen on entering the Spanish territory opposed, not to the foes of Spain, but presenting their bayonets against the breasts of Spaniards [hear, hear !]? This I confess is a sight which I should rather not witness. In one case perhaps a feeling of gratitude might be created in the minds of Spaniards, though I confess that upon this point I am not very sanguine; for I recollect, that though something like gratitude was manifested by the Spaniards for the services rendered by the English during the late war, there was also upon the embarkation of our troops a public gratulation offered up, that the country had been cleared of heretics [hear, hear!] This I am aware arose out of the bigotry of the Spanish Government; and here I cannot help observing that the charge of bigotry urged against Spain in her dealings with her Colonies is incorrect; indeed the reverse is the fact, the main obstacle having been the difficulty of managing their popular assemblies. There is a peculiarity of character in Spain, which from its reserve makes the Spaniard a Spaniard and nothing else; this feeling may perhaps serve to knit them more closely together, and render them more national; and this feeling, too, may, and it is to be hoped will, have the effect of extinguishing the feuds and party differences by which they are at present unhappily distracted [hear, hear!]. But still it is no less true that there exists in Spain at this moment a feeling, which even if the proposed repeal takes place, is not the most calculated to induce strangers to make common cause with them. But I consider the other branch of the case of infinitely greater importance. A Noble Lord made allusion, and with great fairness, to a speech made by me upon a former evening, in which speech I endeavoured to point out what were the duties imposed upon us by a strict neutrality. From the observations which had been made, it would appear that neutrality in any case was considered unbecoming the English nation. Good God! is it disgraceful to England to remain neutral in any case? Cannot this country remain a quiet spectator in the event of any contest between its neighbours, without drawing down the severest charges against its Government? Are we bound to counteract the decrees of Providence, and, in contradiction to the language of the Poet, to declare that, because we are insulted, we are therefore to become more prone to war than nations which are conterminous [hear, hear!]? It has been argued by many that occasions might frequently arise which would lead us into war, but never have I before heard it laid down as a principle, that in the event of any continental quarrel Great Britain must never be at peace. It has been said by many Gentlemen that sooner or later we must be drawn into the war. Why then, if so, I say later [cheers on both sides of the House]. I say, if we must be drawn into the war, let us be drawn into it upon clearly British grounds [cheers]. I do not say, God forbid I should, that it is not the duty of England to preserve the balance of power, and to protect the weaker against the assaults of the stronger Power. But I maintain that, in doing so, there are previous considerations which call for your most serious consideration. You are bound to inquire, in the first instance, whether your ground of interference be a just one; you must next consider of the prudence of your means, and the probability of their successful application to the cause which you espouse;—and last, though not least, the effect which such an interference would be likely to produce upon the interests and property of the country [hear, hear!] There may be cases where a self-devotion and a glorious abandonment of the great interests of the nation may sound well from the lips of an irresponsible orator; but I, as a Minister of the Crown, feeling deeply the weight of my responsibility, would truly deserve the fate with which a Noble Lord opposite (Folkestone) has menaced me in the course of the evening, did I allow myself for a moment to lose sight of those interests, or to forget what the honour and character of the country demand of me [cheers]. If it be the wish of the Honourable Members opposite to shorten the duration of the war, then I say that the position we have taken is by far more efficacious than any we could assume by allowing ourselves to be prematurely drawn into a participation in the contest [hear, hear, hear!]. A participation did I say?—who is there, who, recollecting the events of the last 20 years, will say, that a " participation" was the manner in which England entered upon Continental wars? No, Sir, if we now enter upon a war, we must do as we did upon former occasions; we must take the whole burthen of the contest upon us. But supposing such to be our course, how different must be our situation as compared with former periods. When we last became the defenders of Spain, we fought for and with an united people. What was the case at present? Any interference on our parts in favour of Spain must commence with an attempt to unite contending factions, and to stimulate men of opposite interests and opposite feelings to one grand and simultaneous effort [hear, hear, hear!]. Now, I do not hesitate to say, that the man who would undertake to do this under present circumstances,

(To be Continued in the Second Appendix)

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